Supreme Court, U.S.
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NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1994

NORRIS HARREL, PETITIONER

V.

UNIVERSITY OF HOUSTON, RESPONDENT

OFFICER DENNIS BOOK, RESPONDENT

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

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15pp

QUESTIONS PRESENTED FOR REVIEW

1. Is the summary judgment procedure pursuant to Fed. R. Civ. Pro. 56 being applied unconstitutionally against persons who sue state and/or county and/or cities in order to deprive citizens of their right of access to the courts and/or their right to a trial and/or their first amendment right to petition for grievances?

2. Is Fed. R. Civ. Pro. 56 unconstitutional when it is granted based upon a judges subjective evaluation of the facts of a case?

3. Is the utilization of Fed. R. Civ. Pro. 56 unconstitutional when it is used to decide a citizen's constitutional rights when the facts issues are agreed upon?

4. Is it a deprivation of a person's civil rights to be detained for twenty to thirty minutes solely because they refuse to provide a social security number?

5. Was Fed. Rule of Civ. Pro. 56 used to deny a citizen his right of access to the courts?

6. Is the concept of sovereign immunity as applied by the Fifth Circuit unconstitutional because the law applied in the Fifth Circuit makes it practically impossible to sue a federal or state agency?

7. Does it deny the defendant his right to access to courts to trial if the trial court judge determines whether or not the acts of a defendant are "extreme and outrageous?"

8. Need there be a finding of baselessness of a cause of action in order to grant summary judgment against a person who sues a government body for civil rights when there are disputed fact issues?

9. Are United States citizens, such as the petitioner, being denied adequate, effective, and meaningful access to the courts by Federal Judges through the summary judgment procedure?

10. Is the test used in the Fifth Circuit under their decision in *Rideau,* wherein the court's viewed the petitioner's case from the "shoes of a reasonable police officer" a denial of right to access to the court because it views the case solely from the police officer's view.

11. Are the Fifth Circuit standards as set forth in *Rideau*, a denial to right to access to the courts when used in the summary judgment procedure because the court's view the case from the shoes of a reasonable police officer without hearing the testimony of the petitioner, viewing the cross examination regarding testimony; and do not consider the complainants view.

12. Is it a denial of right to access of court if the court decides a civil rights suit from the shoes of a reasonable police officer and there is no evidence from other police officers regarding what a police officers consider reasonable?

13. Is it a denial of right to access of court if the court decides a case from the shoes of a reasonable police officer

without considering or balancing the petitioner's view with the officer?

PARTIES TO THE PROCEEDING

HARREL V. UNIVERSITY OF HOUSTON-H-92-3087

The caption of the case contains the names of all parties to the proceedings.

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PETITION FOR WRIT OF CERTIORARI

TO THE UNITED STATES COURT

OF APPEALS FOR THE FIFTH CIRCUIT

Norris Harrel, the petitioner herein, respectfully prays that a writ of certiorari issue to review the judgment of the United States Court of Appeals for the Fifth Circuit, entered in the above-entitled case on January 3, 1995.

OPINIONS BELOW

The January 3, 1995, opinion of the Fifth Circuit Court of Court of Appeals, whose judgment is herein sought to be reviewed, is reprinted in the Appendix to this Petition, p. 1a.

The opinion of the Fifth Circuit Court of Appeals on Rehearing dated February 3, 1995, is reprinted in the Appendix to this petition, p. 12a.

. The Final Judgment of the United States District Court for the Southern District of Texas, entered March 9, 1994, is reprinted in the Appendix to this Petition, p. 14a.

The memorandum and Order Granting Defendant's Motion for Summary Judgment is reprinted in the Appendix to this Petition, p. 39a.

STATEMENT OF JURISDICTION

The judgment of the Fifth Circuit Court of Appeals was entered on January 3, 1995. The Fifth Circuit Court of Appeals denied the petition for rehearing on February 3, 1995.

The jurisdiction of this Court is invoked pursuant to 28 USC section 1254(1). The petitioner asserts the jurisdiction on the writ of certiorari are pursuant to Rule 10.1(c) because the United States Court of Appeals decided important questions which should be decided by the Supreme Court.

CONSTITUTIONAL PROVISIONS, TREATIES, STATUTES, RULES AND REGULATIONS INVOLVED.

Fed. R. Civ. Pro. 38(a). Jury Trial of right. Rights Preserved a) The right of trial by jury as declared by the Seventh Amendment to the Constitution or as given by a statute of the United States shall be preserved to the parties inviolate.

Fed. R. Civ. Pro 39(a) Trial by Jury or by the Court. a) By jury. When trial by jury has been demanded as provided in Rule 38, the action shall be designated upon the docket as a jury action the trial of all issues so demanded shall be by jury unless (1) the parties or their attorneys of record, by written stipulation filed with the court or by an oral stipulation made in open court and entered in the record, consent to trial by the court sitting without a jury or (2) the court upon motion or of its own initiative find that a right of trial by jury of some or all of those issues does not exist under the Constitution or statutes of the United States.

Fed. R. Civ. Pro. 56(a)(b)(c) Summary Judgment (a) For Claimant. A party seeking to recover upon a claim, counterclaim, or cross-claim or to obtain a declaratory judgment

may, at any time after the expiration of 20 days from the commencement of the action or after service of a motion for summary judgment by the adverse party, move with or without supporting affidavits for a summary judgment in the party's favor upon all or any part thereof.

(b) For Defending Party. A party against whom a claim, counterclaim, or cross-claim is asserted or a declaratory judgment is sought may, at any, time, move with or without supporting affidavits for a summary judgment in the party's favor as to all or any part thereof.

(c) Motion and Proceeding Thereon. The motion shall be served at least 10 days before the time fixed for the hearing. The adverse party prior to the day of hearing may serve opposing affidavits. The judgment sought shall be rendered forthwith if the pleadings, deposition, answers to interrogatories and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law. A summary judgment, interlocutory in character, any be rendered on the issue of liability alone although there is a genuine issue as to the amount of damages.

Tex. Code. Crim. Pro. Sec. 38.02 (a). A person commits an offense if he intentionally refuses to give his name, residence address, or date of birth to a peace officer who has lawfully arrested the person and requested the information.

U.S. Const. Art. VII. In Suit at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

U.S. Const. Amend. I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

U.S. Const. Amend. XIV, sec. 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United

States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal projection of the laws.

The Constitution of the United States. Preamble. We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defense, promote the general Welfare, and secure the Blessing of Liberty to ourselves and our Posterity, do ordain and established this Constitution for the United States of America.

42 U.S.C. 1983. Every person who, under color of any statute, ordinance, regulations, custom, or usage, of any State or Territory or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities

secured by the Constitution and law, shall be liable to the party injured in an action at law, suit in equity or other proper proceeding for redress.

STATEMENT OF THE CASE

Mr. Norris Harrel, petitioner, filed a civil action against the University of Houston Police Department and University of Houston Police Officer Dennis Book for damages under state and federal law including 42 U.S.C. section 1983 for deprivation of any rights, privileges, or immunities secured by the Constitution, and laws, for intentional infliction of emotional distress, for false imprisonment, and excessive length of detention. Mr. Harrel was a book salesman for a major book company. Mr. Harrel is an African American, and was dressed in a suit on the day of the incident. He was in a University of Houston building which was open to the public during their regular office hours. Mr. Harrel was held by the University of Houston Police Department and their agents, for twenty to thirty minutes in a public building during hours while the building was open to the public solely because he failed to provide to the Officer his social security number.

Mr. Harrel filed an original complaint on October 7, 1992, against the University of Houston Police Department and University of Houston Police Department Officer Dennis Book in

the United States District Court for the Southern District of Texas. The petitioner's complaint asserted that the following occurred on October 5, 1991: The petitioner was subjected to an unwarranted, excessive, and unnecessary detention. Asserted the University of Houston and Dennis Book treated the petitioner in an abusive manner; Intentionally inflicted emotional distress; Deprived the petitioner of constitutional rights under the Fourth Amendment and Fourteenth Amendments, and; wrongfully detained the petitioner under 42 U.S.C. Sec. 1983.

The respondent-defendants filed a motion for summary judgment and asserted: There were no genuine issues of material facts; The university has sovereign immunity; That the state is not a person under section 1983; That the pendent state law claim for intentional infliction of emotional distress is barred against state official sued in federal court under the doctrine of sovereign immunity; That Officer Book has qualified immunity. The defendant-respondent's Motion for Summary Judgment contained 21 exhibits. An affidavit was filed by the petitioner in response to the summary judgment.

The court granted the motion for summary judgment stating that the Motion for Summary Judgment was unopposed

because no response was filed by the plaintiffs; That the University of Houston Police Department is entitled to sovereign immunity; That Officer Book was entitled to qualified immunity because he was a public employee exercising discretion, because he was engaged in an investigative stop and found that the "detention of Harrel was reasonable;" That the University of Houston Police department is entitled to sovereign immunity under the Petitioner's intentional infliction of emotional distress claim; That Officer Book was shielded by sovereign immunity because he was an employee acting in an official capacity; That Officer Book's conduct was "neither extreme nor outrageous as is required to support a claim of IIED."

The Motion for summary judgment was granted on March 9, 1994, by the United States District Court Magistrate Judge Francis Stacy, Southern District of Texas, Houston Division. The petitioner filed an appeal of this ruling alleging the following: The summary judgment should not have been granted in this case; The motion for summary judgment avers that the crucial facts are not in agreement, and therefore, the summary judgment is inappropriate under the movant's own motion; The petitioner was detained for a twenty to thirty minute for no

reason other that his failure to provide a social security number, and there is no legal requirement that he provide the number; There was no summary judgment evidence regarding the Officer's reasons for holding the petitioner for twenty to thirty minutes, nor evidence regarding how it was crucial to his investigation in this circumstance; The court made numerous fact findings that should be for the jury to determine; The granting of the summary judgment denied the plaintiff-appellant his right to a trial.

The Fifth Circuit Court ruled that the defendants were entitled to summary judgment for the following reasons: No facts were asserted by the petitioner which would call into question the defenses of sovereign and qualified immunities; The Officer acted reasonably in detaining Mr. Harrel long enough to verify his identity whether there are facts in the record to meet the standard of extreme and outrageous conduct is a determination of the court to make; Mr. Harrel failed to provide to the trial court any evidence that the officers conduct was extreme and outrageous.

The petitioner filed a Motion for Rehearing which raised rthe issue that the was deneid his right to a trial.

The petitioner asserts this court has jurisdiction under Rule 10. 1(c) because the United States Court of Appeals has decided important questions which should be decided by this court.

REASONS FOR GRANTING THE WRIT

The petitioner was denied his right to a trial and/or jury trial in contravention of one or more of the following rules: Federal Rules of Civil Procedure 38(a), Fed. R. Civ.. Pro. 39(a), Article VII of the United States Constitution; U. S. Const. Art. VII. The petitioner was denied his right to a jury trial in the court's deciding disputed fact issues and making numerous decision as asserted in full in the brief including: The diligence of the pursuit of the investigation by Officer Book; The propriety or unreasonableness of the length of the detention; The "objective justification" of Officer Book in detaining the petitioner; The requirement of a citizen to provide a social security number to prevent continued detention. The petitioner has the right to have a trial by jury, and/or a trial in order that these and other fact issues as asserted in his complaint be decided.

The petitioner is a United States citizen, and was denied his right to a trial like many citizens when they sue for civil rights violations : though the party he was suing admitted there were disputed fact issues.

Federal Rules of Civil Procedure 56(c) states: "The judgment sought shall be rendered if . . . "there is no genuine issue as to any material fact." Fed. R. Civ. Pro. 56(c). In the Defendant's Motion for Summary Judgment, the defendants acknowledge of that there were genuine issues as to material facts. The respondents' Motion for Summary Judgment asserted there were genuine issues as to material fact at the point upon which the petitioner based his cause of action, the point when Officer Book approached the petitioner. The respondent states: "(T)here is a wide disparity between the party's account of the events."

The facts in this case were widely disputed. Summary judgment is a tool whereupon the courts are apparently denying United States the right to access to the courts.

The Fifth Circuit granted qualified immunity to Officer Book and the University of Houston Police Department, and stated that "viewed in light most favorable to Harrel we do not find this twenty to thirty minute detention to be unreasonable or violations of Harrel's rights." Also, the Fifth Circuit held the officer acted reasonably.

In a brief computer survey of published decisions in civil rights suits filed against city, state, or county agencies, 343 Summary Judgment motions were granted; 165 were denied. Therefore, in approximately 50% of the cases summary judgment was granted. The computer survey further shows only 74 were appealed and of those 53 were reversed. See Appendix, p. 41a. The petitioner is concerned that, he like other citizen's rights are being violated because they are not free to sue the government bodies over them, for violations of their civil rights without their cases being summarily dismissed by summary judgments improperly granted. The costs of appeals add to the burden of the petitioner in pursuing the case once summary judgment is granted.

The decisions published by United States Magistrate Francis Stacy, the judge who granted the summary judgment, are available in published decisions in actions against the United States Of the three published decisions against the United States, when the United States filed a motion for summary judgment, the summary judgment was granted on behalf of the United States: *Harriman v. United States*, 1992 WL 193678 (S.D. Tex.); *Jacob v. United States*, 138 F.R.D. 83

(1991); *Frappier v. Texas Commerce Bank and Internal Revenue Service*; 1995 WL 127180 (S. D. Tex.).

The petitioner was denied his right of access to the courts because his right of access was not adequate, effective, or meaningful because the court decided the case on the subjective evaluation of facts.

"Congress shall make no law . . .abridging . . . the right of the people. . . to petition the government for a redress of grievances." U.S. Const. Amendment I.

Access to the courts is protected by the first amendment right to petition for grievances. See, *NAACP v. Button,* 371 U.S. 45 (1963).

> "The right to sue and defend in the courts is the alternative of force. In an organized society it is the right conservative of all other rights, and lies at the foundation of orderly government. It is one of the highest and most essential privileges of citizenship, and must be allowed by each state to the citizens of all other states to the precise extent that it is allowed to its citizens."

Chambers v. Baltimore & Ohio Railroad, 207 U.S.142 (1907)

The Supreme Court stated the following when discussing the right of access to the courts in a civil right action: "The right of access to the courts, upon which *Avery* [*Johnsons v. Avery*, 393 U.S. 483, 89 S. Ct.. 747, 21L.Ed.2d 718 (1969)] was premised is founded in the Due Process Clause, and assures that no person will be denied the opportunity to represent to the judiciary allegations concerning violations of fundamental constitutional rights. "It is futile to contend that the Civil Rights Act of 1871 has less importance in our constitutional scheme than does the Great Writ." *Wolf V. McDonnel*, 418 U.S.539, 94 S. Ct. 296, 41 L.Ed.2d 935 (1974)

The right of access to the courts is not enough to pass constitutional scrutiny. This Court has required that the access be adequate, effective, and meaningful. *Bounds v. Smith*, 430 U.S. 817, 823-824 (1977).

The trial court's Memorandum and Order Granting Defendant's Motion for Summary Judgment" states, "(T)he court finds that Book had a reasonable suspicion that criminal activity had occurred, or was about to occur and was therefore justified in stopping Harrel. The Court also finds, that Book acted reasonably in requesting legal identification from Harrel."

"The court also finds, that Book's detention of Harrel was not unreasonable." "(B)ook was justified in detaining Harrel until his supervisor arrived on the scene." "Based on a finding that Book's detention of Harrel was reasonable, and the fact that Harrel has presented no evidence that the detention was contrary to clearly established statutory or constitutional right's: Book is entitled to qualified immunity."

The Memorandum and Order of the trial court also states: ". . . Book's conduct in stopping Harrel to determine his identity was neither extreme nor outrageous under the standard set forth in Dean v. Ford Motor Credit Co., 885 F.2d 300 (5th Cir. 1989). Additionally, given that Harrel refused to provide Book with his social security number and was generally uncooperative. . . . Book's conduct in detaining Harrel for 20-30 minutes, and awaiting the arrival of his supervisors was neither extreme nor outrageous."

Mr. Harrel did not have adequate access to the courts, effective access to the courts, nor meaningful access to the courts because Mr. Harrel's lawsuit was dismissed by a judge who made a subjective evaluation of the facts of the case, and ultimately decided the officer's conduct was neither extreme nor

outrageous. The petitioner asserts it is not appropriate to consider and make a decision based upon the officer's conduct alone without considering the constitutional right which was impinged upon. The petitioner asserts it is not appropriate to make the findings without seeing Mr. Harrel, judging his credibility on the witness stand, and determining his credibility under cross examination. Similarly, the court determined the actions of the Officer were proper without hearing a cross examination of the reasons of the detention in determining the credibility of the tone of his voice, his memory, or his demeanor which are crucial to a proper determination at trial.

The finding that the Officer was generally uncooperative and that his decision was not extreme nor outrageous are all the judges subjective evaluation of the facts. The lower court made numerous fact findings which are disputed, and denied the petitioner's right to a trial.

The petitioner was denied his right to access to courts because the case was decided solely from the officer's viewpoint.

"In assessing the reasonableness of an officer's actions, it is imperative that the facts available to the officer at the

moment of the seizure, the search warrant a man of reasonable caution in the belief that the action taken was appropriate?" *U.S. v. Rideau*, 969 F.2d 1572, 1574 (5th Cir. 1992) "To justify a brief detention the officer must have a reasonable suspicion that criminal activity is afoot; a minimal level of objective justification for the officer's actions, measured in light of totality of the circumstances". *U.S. v.Rideau*, 969 F.2d 1572, 1574.

The petitioner asserts that the facts as elicited in this case and as applied to the Fifth Circuit, do not justify the detention of twenty to thirty minutes so as to justify Summary Judgment. There was no objective justification for Officer Book's actions in detaining the petitioner, Norris Harrel, for twenty to thirty minutes, for his failure to provide a social security number. There was only Officer Book's subjective justification. There is no "bright line" regarding the length of detention, and the failure to provide a social security number does not provide objective justification for continued detention.

The decision of the trial court and the Fifth Circuit Court that Mr. Harrel's detention was not subjective is difficult to comprehended. The Officer's request for Mr. Harrel's previously to provide his social security number is an "objective"

phenomena. However, the Officer's interpretation of that failure to provide the social security number as making the Officer believe possible criminal action has taken place, given the totality of the circumstances is not an objective phenomena. The totality of the circumstances establish that Mr. Harrel was a man dressed in a business suit, with a brief case, in a building open to the public during regular business hours who provided driver's license and business card when asked for identification. For the courts to dismiss his claim without hearing or trial based on their interpretation of the officer's objective justification is a denial of the right to petition in the courts.

A United States citizen has no legal obligation to provide his social security number to serve his release from the police.

Neither Texas law nor Federal Law indicate that a person has the obligation to provide his social security number to police officers.

Texas Penal Code section 38.02 (a) contains the offense of failure to identify to a police officer in the state of Texas. Tex. Penal Code Section 38.02 (a) Even after a person is arrested in Texas, a person who refuses to give his social security number, has not committed the misdemeanor offense

of failure to identify to a police officer. Tex. Penal Code Section 38.02 (a). Therefore, the petitioner's, refusal to provide his social security number does not constitute an offense under Texas law.

"The Social Security Administration, under the direction of the commissioner of Social Security Administers a national program of contributory social insurance whereby employees or employers and the self employed pay contribution which are pooled in special trust funds." Black's Law Dictionary, 1246 (5th Ed. 1979). The request by an officer of a number assigned to a person for a social insurance program and the person failure to provide such a number should not result in a detention and is hardly a suitable justification for his detention.

There has been no explanation by the defendant, Officer Book, why Officer Book requested the social security number; Why the social security number was important for identification; No assertions that persons with criminal activities or backgrounds are likely to refuse to give out their social security numbers; No assertions that the social security number would help to confirm or dispel suspicion of Mr. Harrel. The continued

detention of the plaintiff for his failure to provide the social security number was not supported by summary judgment proof.

Mr. Harrel was done additional damage besides his detention. He was denied his opportunity to air his grievances in a court of law. He was denied an opportunity to ask the officer who held him the questions regarding his detention, regarding his possible racial animus. Mr. Harrel's case was decided upon a judge's subjective evaluation of the facts regarding whether or not the officers' conduct was extreme and outrageous.

The trial court granted Book immunity under the doctrine of sovereign immunity because the plaintiff refused to provide Officer Book with his social security number and was generally uncooperative and therefore made the decision his actions were reasonable. The Fifth Circuit Court agreed and did not find officer Book's action unreasonable. These findings were based on the Fifth Circuit's decision in *United States v. Rideau*, 969 F2d 1572 (5th Cir. 1992).. "As long as all the facts and circumstances viewed objectively, support the officer's decision, the Fourth Amendment is satisfied. We must attempt to put ourselves in those shoes of a reasonable police officer as he or

she approaches a given situation and assess the likelihood of danger in a particular context." Rideau, 969 F2d, 1572, 1574.

The facts regarding Mr. Harrel 's cooperation were disputed. Therefore, the proposition that he was "general uncooperative" is based on the officer's opinion. Therefore, the entire basis of the dismissal of this case and Mr. Harrel's denial of his right to trial were based on the opinion testimony of an interest witness, specifically the officer who was sued. The plaintiff asserts the twenty to thirty minute detention was extreme or outrageous because it resulted from his failing to provide a social security number.

The standard as applied in the instant case can be applied in any case, and makes any civil rights action against a police officer nearly impossible. An officer may merely aver that a person was uncooperative. No such facts exist other than the aversion of Mr. Harrel to provide his social security number. The Court evaluated the case from the officers viewpoint and then decided to grant a summary judgment based on the Court's assessment of the officers viewpoints alone. This constitutes a denial of a citizen's right to petition and a denial of a right to due process because the court does not consider the view of the

citizen's rights whose rights he asserts have already been violated. This test is not a balanced test because it does not at all consider the view of the citizen. This test does not balance the citizen's constitutional civil rights, nor a citizens right to access to the court system and to petition to have his grievance heard in a meaningful manner in a court of law against the viewpoint of the officer.

The petitioner was denied his right to a jury trial in contravention of Federal Rules of Civil Procedure 38(a). "The right of trial by jury as declared by the Seventh Amendment to the constitution or as given by a statute of the United States shall be preserved to the parties inviolation." Fed. R. Civ. Pro. 38 Inviolate: "Intact; Not violated; Free from substantial impairment." Black's Law Dictionary, Fifth Ed. The petitioner was denied his right to a jury trial in the court's deciding disputed fact issues and making numerous decision including: The diligence of the pursuit of the investigation by Officer Book. The propriety or unreasonableness of the length of the detention; The "objective justification" of Officer Book in detaining the plaintiff; The requirement of a citizen to provide a social security number to prevent continued detention. The petitioner has the right inviolate to have a jury or a judge fully decide these and other fact issues as asserted in this brief.

The First Amendment guarantees a citizen the right to petition. U. S. Const. Amend. 1. Baseless litigation is not immunized by the First Amendment. See, *McDonald V. Smith*, 472 U.S. 479, 486 (1985). There has been no finding that his litigation was baseless, however. In fact, it is clear by the facts

he avers and which are disputed that his litigation was not baseless. Therefore, the dismissal of the petition's case by summary judgment is in violation of the 1st Amendment because his cause of action was not baseless.

Mr. Harrel is a citizen of the United States. His liberty was interfered with in a public building in a public place for twenty to thirty minutes for failing to give a University Police Officer his social security number. No criminal actions were forthcoming or ever alleged against him. He sued and his case was never fully considered by a jury or a trial judge. John F. Kennedy made a statement to the effect that when peaceful protest is denied violent protest is guaranteed. Recently, there has been some social upheaval which has been attributed to the denial of citizen's rights or citizen's perceptions that the government is non-responsive or oppressing to citizens. Mr. Harrel is a citizen who utilized the court system to file a suit. He believed he had the real opportunity to file a petition in court to redress his grievances. His case was dismissed without his being able to present his case at trial.

The Preamble to the Constitution of the United States establishes the Constitution on behalf of the people to establish

justice, insure domestic tranquillity, and to secure the Blessing of Liberty. U. S. Const. Preamble. Mr. Harrel's case, in part because of the timeliness of our current social climate, as demonstrated by our citizen's apparent frustration with their government, deserves reconsideration. Justice is not done when officers hold citizens for specious reasons. Domestic tranquillity is affected when citizen are afraid of the arbitrary and capricious act of police officers. When Citizens do not have the right to petition when they arbitrarily and capriciously held. Liberty is denied to citizens when they are detained because of officers practically baseless opinion that the citizen is "unreasonable". Perhaps a review of this case can aid in reestablishing justice, insuring domestic tranquillity, and in securing secure the Blessing of Liberty.

CONCLUSION

The petitioner respectfully prays that the petitions for the writ of certiorari be granted. When persons are denied their right to peaceful protest they are frustrated, disenchanted, and spiritless. Innocent citizens suffer if this frustration result in the passive-aggressive action of their failure to work, or to pay taxes. In the worst case, citizens even engage in violent behavior. The petitioner requests the court reverse the order for summary judgment rendered on March 9, 1994.

Respectfully submitted,

DATED: _____

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CERTIFICATE OF SERVICE

I, Mark A. Di Carlo, do hereby certify that a true and correct copy of PETITIONER'S PETITION FOR WIRT OF CERTIOARARI was sent to Mr. Miles J. LeBlanc, Assistant Attorney General, General Litigation Division, P. O. 12548, Austin, Texas 78711-2548 on this the _____ day of _____, 1995.

_____

Mark A. Di Carlo

PET-CERT.WPS

PET-CERT.WPS5/22/95

NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1994

NORRIS HARREL, PETITIONER

V.

UNIVERSITY OF HOUSTON, RESPONDENT

OFFICER DENNIS BOOK, RESPONDENT

PETITION FOR WRIT OF CERTIORARI

TO THE UNITED STATES COURT

OF APPEALS FOR THE FIFTH CIRCUIT

PETITION FOR WRIT OF CERTIORARI

AFFIDAVIT OF MAILING

This Petitioner's Petition for Writ of Certiorari with Appendix Attached was mailed, first class, postage prepaid and correctly addressed to the Clerk of the Supreme Court of the United States on May 4, 1995, from the United States Post Office, 809 Nueces Bay Blvd, Corpus Christi, Texas 78408.

I personally saw postman, Maurice Hook, postmark the package numerous times, on different locations on the envelope.

Suzanne Garza-Alvarez
4241 Ridgeview Dr.
Corpus Christi, Texas 78413

STATE OF TEXAS

COUNTY OF NUECES

BEFORE ME, the undersigned Notary Public, on this day personally appeared SUZANNE GARZA-ALVAREZ, who after being by me duly sworn on oath deposed and that she has read the above affidavit of mailing and that every statement is within her personal knowledge and is true and correct. Subscribed and sworn to before me this 25 day of May, 1995.

Notary Public in and for
the State of Texas
My commission expires: 08-03-97

MANUEL RODRIGUEZ, III
NOTARY PUBLIC
State of Texas
Comm. Exp. 08-03-97

PET-CERT.WPS

PET-CERT.WPS5/23/95

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-20268
(Summary Calendar)

NORRIS HARRELL,

Plaintiff-Appellant,
versus
UNIVERSITY OF HOUSTON
POLICE DEPARTMENT, ET AL.,

Defendants,
UNIVERSITY OF HOUSTON
POLICE DEPARTMENT and DENNIS BOOK,

Defendants-Appellees.

Appeal from the United States District Court
for the Southern District of Texas
(CA-H-92-3087)

Before DUHE, WIENER and STEWART, Circuit Judges.
PER CURIAM:*

Plaintiff, Norris Harrell, appeals the trial court's entry of summary judgment against him and in favor of defendants, the University of Houston Police Department and Officer Dennis

Book, on his 42 U.S.C. 9 1983 claim, as well as a pendant state law tort claim, that officer Book unlawfully stopped, detained, and harassed him on campus. We affirm.

*Local Rule 47.5 provides: "The publication of opinions that have no precedential value and merely decide particular cases on the basis of well-settled principles of law imposes needless expense on the public and burdens on the legal profession." Pursuant to that Rule, the Court has determined that this opinion should not be published.

FACTS

On October 4, 1991, Norris Harrell, a college textbook sales representative, was leaving business cards on professors, doors in Farish Hall on the campus of the University of Houston when he was approached by a university employee, Joy Hindtnon, who asked if he needed assistance; Harrell said he did not.

After seeing that Harrell was still looking around in the building a short time later, Hindmon again asked Harrell if he needed assistance. Harrell responded that he did not need help. Hindmon attempted, unsuccessfully, to notify the college manager and the assistant dean that there was someone in Farish Hall who had not identified himself. She then called the university's police department which sent Officer Dennis Book to investigate. Both Hindman and officer Book knew that several professors, offices in that building had been burglarized recently. When Officer Book asked Harrell for identification, Harrell gave him a business card and an out-of-state driver's license. Harrell refused Book's request for his social security number, and was detained for approximately 20 to 30 minutes while campus police officers attempted to verify his identification.

Harrell subsequently filed suit against the University of Houston Police Department (UHPD)

and Officer Book, alleging a 1983 claim and a pendent state claim for intentional infliction of emotional distress. Harrell alleged that Officer Book unlawfully stopped, detained, and harassed him. The parties consented to entry of final judgment by a magistrate judge. The defendants filed a motion for summary judgment contending that Harrell's § 1983 claim against the UHPD and his state claim against the UHPD, and Officer Book in his official capacity, were barred by the doctrine of sovereign immunity. They also contended that Harrell's § 1983 claim against Officer Book, in his individual capacity, was barred by the doctrine of qualified immunity. In its ruling on the motion, the trial court mistakenly stated that Harrell had failed to respond to the defendants' motion. Although Harrell's response was not timely filed under the local rules, he did oppose the motion, albeit only by filing his own affidavit of the facts. The trial court granted the

motion for summary judgment, and Harrell timely noticed his appeal.

STANDARD OF REVIEW

This Court reviews a grant of summary judgment de novo. Abbott v. Ecruity Group, Inc., 2 F.3d 613, 618 (5th Cir. 1993). Summary judgment is proper if the moving party establishes that there is no genuine issue of material fact and that it is entitled to judgment as a matter of law. Campbell v. Sonat Offshore Drilling, Inc., 979 F.2d 1115, 1119 (5th Cir. 1992). The party opposing a motion for summary judgment must set forth specific facts showing the existence of a genuine issue for trial. See Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 256-57, 106 S.Ct. 2505, 91 L.Ed.2d 202 (1986). on appeal from summary judgment, this Court examines the evidence in the light

most favorable to the nonmoving party. Salas v. Carpenter, 980 F.2d 299, 304 (5th Cir. 1992).

DISCUSSION

Harrell opposed the defendants, motion with only his own affidavit of the facts and failed to set forth facts that would call into question the "serted defenses of sovereign and qualified immunities. The magistrate judge's Memorandum and Order Granting Defendants' Motion for Summary Judgment details the instant facts and thoroughly outlines the law on Harrell's claims. The magistrate judge concluded that the § 1983 claims are barred by the doctrines of sovereign and qualified immunities, and that there was no evidence of at least one element required for the state tort claim.

THE 1983 CLAIMS

On appeal, Harrell only cursorily addresses the issues of sovereign and qualified immunities -- the primary bases for the trial

court's order granting summary judgment on his S 1983 claims. He focuses on the factual circumstances surrounding his detention and on the reasonableness of the department's procedures and of Officer Book's actions. In focusing throughout his brief primarily on what he calls the court's "improper fact findings," Harrell fails to address the defenses asserted in the defendants' motion and the bases of the trial court's ruling. On this issue of immunities as defenses to his claims, Harrell argues only the following:

> There is no Summary Judgment proof however, regarding the legal status of the University of Houston Police Department. Therefore, the summary judgment against the [University of] Houston Police Department is
>
> improper because there is no summary judgment proof regarding their legal status.
>
> The University of Houston is,a state agency. Bache Halsey Stu-art Shields, Inc. v.

University of Houston, 638 S.W.2d 920, 923 (Tx.Ct.App. 1982); Tex.Educ.Code § 111.20, et seq. Texas' Education code and Code of Criminal Procedure support the trial court's determination that the UHPD is a department of a state agency, and that therefore officer Book was employed by a state agency. See Tex.Educ.Code S 51.203; Tex.C.Crim.Proc. art. 2.12 art. (8). Harrell provided no indication to the trial court that the status of either the UHPD or officer Book was at issue.

Given the recent burglaries in Farish Hall, Officer Book acted reasonably in detaining Harrell long enough to verify his identification. Viewed in the light most favorable to Harrell, we do not find this twenty to thirty minute detention to be unreasonable or violative of Harrell's rights. Accordingly, we find no error in the magistrate judge's finding that the University of Houston is a university within Texas, university system, and that UHPD, as a department within the University

of Houston, is an agent of the state of Texas which is entitled to sovereign immunity. The summary judgment evidence supports the magistrate judge's finding that, because Officer Book acted reasonably in the exercise of his discretion within the scope of his authority as a public employee and officer, he is entitled to qualified immunity. See Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 100-02, 104 S.Ct. 900, 79 L.Ed.2d 67 (1984).

THE PENDENT STATE TORT CLAIM

Harrell's only claim that is not barred by either sovereign or qualified immunity is his state tort claim against officer Book in his individual capacity for intentional infliction of emotional distress. Under Texas law, the elements of this cause of action are: (1) the defendant acted intentionally or recklessly; (2) the conduct was extreme and outrageous; (3) the defendant's actions caused the plaintiff emotional distress;

and (4) the plaintiff's emotional distress was severe. Gillum v. City of Kerrville, 3 F.3d 117, 122 (5th Cir. 1993) (citations omitted), cert. denied, 114 S.Ct. 881 (1994).

Whether there were facts in the record that could support a finding that Book's conduct met the standard under the law of being "extreme and outrageous" is a determination for the court to make. See McKethan v. Texas Farm Bureau, 996 F.2d 734, 742 (5th Cir. 1993), cert. denied, 114 S.Ct. 694 (1994). In order to qualify as "extreme and outrageous" under the law, a defendant's conduct must have been

> so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community. . . . Generally, the case is one in which a recitation of the facts to an average member of the community would lead him to exclaim, "Outrageous."

Dean, 885 F.2d at 306 (quoting Restatement (Second) of Torts § 46 Comment (d) (1965)). The trial court determined that the record did not support a finding that Book's conduct satisfied the legal standard of being extreme and outrageous as defined in Dean v. Ford Motor Credit Co., 885 F.2d 300, 306 (5th Cir. 1993), and concluded as a matter of law that Harrell had not made out a claim for Intentional Infliction of Emotional Distress.

Harrell did not provide the trial court with any evidence which indicated that Book's conduct was extreme and outrageous, and the record does not otherwise support such a finding. Thus, we find no error in the magistrate judge's findings of fact and conclusions of law regarding this claim.

For the foregoing reasons, the trial court's order granting the defendants, motion for summary judgment is AFFIRMED.

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 94-20268

NORRIS HARRELL,

Plaintiff-Appellant,

UNIVERSITY OF HOUSTON POLICE DEPARTMENT, ET AL.,

Defendants,

UNIVERSITY OF HOUSTON POLICE DEPARTMENT and DENNIS BOOK,

Defendants-Appellees.

Appeal from the United States District Court for the Southern District of Texas

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ON PETITION FOR REHEARING

(FEBRUARY 3, 1995)

Before DUHE, WIENER and STEWART, Circuit Judges.

PER CURIAM:

IT IS ORDERED that the petition for rehearing filed in the above case is DENIED.

ENTERED FOR THE COUR

United States Circuit Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NORRIS HARRELL

Plaintiff,

VS. CIVIL ACTION
NO. H-92-3087

UNIVERSITY OF HOUSTON POLICE DEPARTMENT and DENNIS BOOK

Defendants.

MEMORANDUM AND ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Before the Court is Defendant University of Houston Police Department and Dennis Book's Motion for Summary Judgment (Instrument No. 23) pursuant to Rule 56 of the Federal Rules of Civil Procedure. No response to the Motion for summary Judgment has been filed. on March 18, 1993, the parties consented to trial before United States Magistrate Judge Frances H. Stacy. Upon such consent, United

States District Judge Ewing Werlein, Jr. referred the case for all proceedings to Judge Stacy.

After having considered the motion, the submissions of Defendants, the applicable law, and the lack of a response to the motion, the Magistrate Judge ORDERS that Summary Judgment be GRANTED in favor of Defendants.

I.
Background

On October 7, 1992, Plaintiff Norris Harrell ("Harrell") filed suit against the University of Houston Police Department ("UHPD") and officer Dennis Book ("Book") (collectively "Defendants") for violations of 42 U.S.C. 1983 and for intentional infliction of emotional distress. According to Harrell, officer Book unlawfully stopped, detained, and harassed him while he was at the University of Houston campus performing his duties as a publishing

representative for the publishing company Allyn and Bacon.

In response to the allegations made by Harrell in his Complaint, both UHPD and Book claim that Harrell's detention was justified and reasonable. According to Defendants, Harrell was detained only so long as required to properly identify Harrell.

On February 1, 1994, Defendants filed a Motion for Summary Judgment. UHPD claims that it is entitled to summary judgment under the theory of sovereign immunity. Book claims he is entitled to summary judgment on .,the theory of qualified immunity. As of this date, no response to Defendants' Motion for Summary Judgment has been filed.

II.

Summary Judgment Standard

Summary judgment is proper when pleadings and evidence on file, along with affidavits, show that there is no genuine issue as

to any material fact and the moving party is entitled to judgment as a matter of law. Fed. R. Civ. P., 56 (c). The substantive law determines which facts are material, *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247 (1986), and the Court must view these facts

and the inferences to be drawn from them in the light most favorable to the party opposing the motion. *Mutsushita Elec.* Indus. Co., Ltd. v. Zenith Radio Corp., 475 U.S. 574, 587-88 (1986) (citing United States v. Diebold, Inc. , 369 U.S. 654, 655 (1962)) Reid v. State Farm Mut. Auto Ins. Co., 784 F.2d 577, 578 (5th Cir. 1986.)

The burden of proof is on the moving party to show an absence of evidence to support the nonmoving party's case. *Celotex Corp. v. Catrett*, 477 U.S. 317, 322-27 (1986). once this burden has been met, the nonmoving party can resist the motion for summary judgment by making a positive showing that a genuine dispute of material fact does indeed exist and that it

consists of more than bare allegations in briefs and pleadings. Anderson, 477 U.S. at 250. The plain language of Rule 56(c) mandates the entry of summary judgment, "after adequate time for discovery and upon motion, against a party who fails to make a showing sufficient to establish the existence of an element essential to that party's case, and upon which that party will bear the burden of proof at trial." Celotex, 477 U.S. at 322.

III.

Motion for Summary Judgment "Unopposed"

Under the local rules of this district, a party's failure to respond to a motion within 20 days of the filing of the motion, is construed as "No Opposition" to the motion. In this case, UHPD and Book filed a Motion for Summary Judgment on February 1, 1994. Harrell had until February 21, 1994 to file a response. To date, Harrell has failed to file a response to the motion. Harrell's failure to respond is construed as "No Opposition" to the entry of summary judgment.

IV.

1983 Claim

42 U.S.C. S 1983 provides a cause of action for violations of federal constitutional rights:

> Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

A. UHPD

UHPD contends that it is entitled to summary judgment on Harrell's S 1983 claim under the doctrine of sovereign immunity.

The Eleventh Amendment to the United states Constitution provides states

with immunity from suits in the federal courts: The Judicial power of the United States shall not beconstrued to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens of Subjects of any Foreign-State. Amendment XI.

The United States Supreme Court has interpreted this Amendment to include the immunity of a state from suit by one of its own citizens. Hans v. Louisiana, 134 U.S. 1 (1890); Edelman v. Jordan, 415 U.S. 651, 663 (1974). Unless Congress explicitly abrogates a state's ability to claim the protections of the Eleventh Amendment, a case cannot proceed against a state in federal court without a waiver by the state of its sovereign immunity. Will v. Michigan Dept. of State Po2lce, 491 U.S. 58 (1989); Quern v. Jordan, 440 U.S. 332 (1979).

A state agency is afforded the same sovereign immunity as the state itself. Clay V. Texas Nomen's University, 728 F.2d 714, 715-16 (5th Cir. 1984); United Carolina Bank v. Board of Regents, 665 F.2d 553, 557-58 (5tli Cir. 1982). Because colleges and universities which are part of a state university system are deemed to be agencies of the state, such colleges and universities are also entitled to sovereign immunity under the Eleventh Amendment. See Lowe v. Texas Tech University, 540 S.W.2d 297, 298 (Tex. 1976) ; Perry v. Texas A & I University, 737 S.li.2d 106, 108 (Tex. App.--Corpus Christi 1987, writ ref'd n.r.e.); Bagg v. University of Texas Medical Branch, 726 S.W.2d 582, 584 (Tex. App.--Houston [14th Dist.) 1987, writ ref'd n.r.e.); Freeman V. Dal Mar College, 716 S.W.2d 729, 731-32 (Tax. App.--Corpus Christi 1986, no writ).

UHPD argues that it, as a department within the university of Houston, is entitled to

sovereign immunity. According to UHPD, the University of Houston is a university within Texas, university system, and therefore an agent of the State of Texas. Because the Court finds that the University of Houston is a university within Texas' university system and is regulated by the Texas Higher Education Coordinating Board, TEX. EDUC. CODE 5 61.003, UHPD is an agent of the State of Texas and entitled to sovereign immunity. Summary judgment in favor of UHPD on Harrell's S 1983 claim is therefore warranted.

B. Book

Book, a University of Houston police officer, contends that he is entitled to summary judgment on Harrell's S 1983 claim under the doctrine of qualified immunity. According to Book, his detention of Harrell was based on reasonable suspicion and was reasonable in both nature and scope.

Qualified immunity is available for public employees and officers whose duties require the exercise of discretion. Russell v. Texas Department of Human Resources, 746 S.W.2d 510, 513 (Tex. App.--Texarkana 1988, writ denied). This immunity is available if the public employee or official acted in the course and scope of his authority and exercised his discretion in good faith. carpenter v. Barner, 757 S.W.2d 99, 101 (Tex. App.--Waco 1990, writ denied); Campbell v. Jones, 264 S.W.2d 425, 427 (Tex. 1954). "[G]overnment officials performing discretionary functions, generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." Harlow v.

Fitzgerald, 457 U.S. 800, 818 (1982). If the statutory or constitutional law is clearly established, however, claims of qualified

immunity seldom prevail because a "reasonably competent public official should know the law governing his conduct." Id. at 818-19.

The law governing investigatory stops is relatively simple. Investigatory stops are constitutional as long as a law enforcement officer has a reasonable and articulable suspicion that criminal activity has occurred or is about to occur. Terry v. Ohio, 392 U.S. 1, 27 (1968); United States v. Markley, 988 F.2d 1062, 1063 (10thCir. 1993). "I[W]here a police officer observes unusual conduct which leads him reasonably to conclude in light of his experience that criminal activity may be afoot' the officer may briefly stop the suspicious person and make 'reasonable inquiries' aimed at confirming or dispelling his suspicions. "Minnesota v. Dickerson, _ U.S. _, 113 S.Ct. 2130, 2135 (1993) (quoting Terry v. Ohio, 392 U.S. 11 30 (1968). The nature and scope of the investigatory stop, however, is to be "keyed to

the purposes of the stop, with officers using the 'least intrusive means reasonablyavailable to verify or dispel (their) suspicions in a short period of time.,,, United States v. Tones, 759 F.2d 633, 642 (8th Cir. 1985), CGrt. denied, 474 U.S. 837 (1985) (quoting Florida v. Royer 1 4 6 0 U. S. 4 9 11, 5 0 0 (19 8 3) A person's constitutional rights are not violated by an investigative stop and detention if the officer acts reasonably in conducting the stop. See Courson v. McMillian, 939 F.2d 1479, 1490-93 (llth Cir. 1991).

Book argues that the summary judgment evidence establishes that he acted with reasonable suspicion in stopping Harrell and then acted reasonably in detaining Book in order to determine his

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1 once reasonable inquiries are made during an investigative stop, an officer may search an individual if he suspects that the

individual is armed. Terry v. Ohio, 392 U.S. 1, 29-30 (1968). Such searches are allowed to protect officers from potential harm: We are unwilling to tie the hands of police officers operating , in potentially dangerous situations by precluding them,froza taking reasonable steps to ensure their safety when they have legitimately detained an individual.

United States v. RidGaU,'969 F.2d 1572, 1575 (5th Cir. 1992).

In the instant case, a Terry search was not conducted of Harrell. There is no evidence in the record that Officer Book feared for his safety- of suspected that Harrell was carrying a weapon. identity. The uncontroverted summary judgment evidence provided by

Book shows:

1. Harrell was on the campus of the University of Houston in the performance of his

job duties as publishing representative for Allyn and Bacon Publishing Company. Defendants' Exhibits 1, 2, 3.

2. Harrell was in education building at the University of Houston near the faculty suites, looking up and down the hallways when a, University of Houston employee, Joy Hindmon, asked him if he needed help. He responded that he did not need any help and that he was just looking around. Defendantsf Exhibits 4, 5, 6.

3. Joy Hindmon again saw Harrell some fifteen minutes later in front of the office of Dr. Kagan. she again asked him if she could be of some assistance. Harrell again replied that he needed no assistance. Defendants' Exhibit 9.

4. After her second encounter with Harrell, Joy Hindmon, following department instructions and procedures, placed a call to the

college manager to inform him that she had encountered a person in the building who had not readily volunteered information as to his identity. When she couldn't contact the college manager, she attempted to contact the assistant dean. When he was unavailable, Joy Hindmon called UHPD.Defendants' Exhibit 10.

5. Joy Hindmon told the UHPD dispatcher that there was a person on the fourth floor of the building that she had approached twice and who hadn't identified himself. Joy Hindmon described Harrell to the dispatcher and the dispatcher told her that they would send someone over. Defendants' Exhibit 10.

6. Book received a call over his car radio from the dispatcher directing him to the fourth floor of the education building to investigate an unidentified black male that was "walking in and out of people's offices." Upon arriving on the

fourth floor, Book observed Harrell, stopped him,asked him what he was doing in the building and asked for identification. Defendants' Exhibits 11, 13.

7. Harrell gave Book his business card. When Book requested legal identification in the form of a driver's license and social security number, Harrell gave Book his Florida driver's license, but refused to give him his social security number. Book and Harrell argued for some time about Harrell's identity and Harrell's refusal to provide his social security number. Defendants, Exhibits 12, 13, 14, 15.

8. Following approximately ten minutes of questioning by Book, two other UHPD officers, including Book's supervisor, arrived on the scene. They also questioned Harrell about his identity. After their further questioning, Harrell

was allowed to continue with his business at the campus. Defendants' Exhibit 16.

Based on this uncontroverted evidence along with the uncontroverted summary judgment evidence that there had been numerous thefts from faculty offices in -the education building, Defendants' Exhibit 8, the Court finds that Book had a reasonable suspicion that-criminal activity had occurred or was about to occur and was therefore justified in stopping Harrell. The fact that Book's suspicion was wrong does not invalidate the appropriateness of the investigative stop. The Court also finds that Book acted reasonably in requesting legal identification from Harrell. Given that Harrell presented an out of state driver's license and refused to disclose his social security number to Book, Book was justified in detaining Harrell until his supervisor arrived on the scene.

While Harrell complains about the length of the detention, approximately 20-30 minutes, there is no bright line rule that establishes the proper length of a detention. United States v. Sharpe, 470 U.S. 675, 685 (1985). Each case is judged on its own merits and circumstances. Id.; Courson v. McMillian, 939 F.2d 1479, 1490-93 (11th Cir. 1991). Given the individual circumstances of the instant case and the uncontroverted summary judgment evidence that Harrell prolonged the detention by refusing to provide his social security number, the Court finds that the 20-30 minute detention was not unreasonable.

Based on a finding that Book's detention of Harrell was reasonable and the fact that, Harrell has presented no evidence that the detention was contrary to "clearly established statutory or constitutional rights," Book is entitled to qualified immunity. on that basis, summary

judgment is warranted on Harrell's S 1983 action.

V.

Intentional Infliction of Emotional Distress Claim In order to be entitled to relief on an intentional infliction of emotional distress (11,IIEDII) claim, a plaintiff must show: (1) that the defendant acted recklessly or intentionally; (2) that the conduct of the defendant was extreme or outrageous; (3) that the actions of the defendant caused the plaintiff emotional distress; and (4) that the emotional distress sustained by the plaintiff was severe. Malandris v. Merrill, Lynch, Pierce, Fenner & Smith, Inc., 703 P.2d 1152, 1158 (loth Cir. 1981), cert denied, 464 U.S. 824 (1983) ; See also Walker v. South Central Bell Telephone company, 904 F.2d 275 (5th Cir. 1990).

A. UHPD claims that the doctrine of sovereign immunity also protects it from Harrell's state law IIED claim. Just as sovereign immunity

is available to defeat a claim brought against a state or its agents pursuant to 1983, sovereign immunity also protects a state and its agents from state law claims such as IIED. See Pennhurst state School and Hospital v. Halderman, 465 U.S. 89 (1984) (A "claim that state officials violated state law in carrying out there official duties is a claim against the state that is protected by the Eleventh Amendment"); See also Tillman v. CSX Transportation, Inc., 929 F.2d 1023, 1025 n.1 (5th Cir.), cert. denied, _ U.S. _ 112 S.Ct. 176 (1991). Therefore, because UHPD has sovereign immunity, Harrell's claim for IIED against UHPD is defeated and summary judgment is warranted.

B. Book

Book also claims that he is shielded, as an official of a state agency, from liability on

Harrell's IIED claim under the theory of sovereign immunity.

1. Official Capacity A state's sovereign immunity protects public employees of the state, acting in their official capacities, from liability on state law claims. In Kentucky v. Graham, 473 U.S. 159, 165-6 (1985), the United States Supreme Court held that a suit against a public employee in his official capacity is not a suit against the individual, but a suit against the officials office. When suit is brought against a public employee acting in his official capacity, the same immunity and defenses are available to the public employee as are available to the governmental entity. Hafer v. Melo, _ U.S. _ , 112 S.Ct. 358, 362 (1991); Whitehead v. Univ. of Texas Health Science Center, 854 S.W.2d 175, 179 (Tex. App.–San Antonio 1993, no writ). As set forth above, sovereign immunity bars Harrell's Iled claim against UHPD. Because the

sovereign immunity is available to UHPD, it is also available to protect Book, acting in his official capacity, against Harrell's Iled claims.

2. individual Capacity A state's sovereign immunity does not protect public employees of the state, who are acting in their individual capacities, from liability on state law claims. Book has made no articulable argument that he is entitled to summary judgment on Harrell's IIED claim against him in his individual capacity. However, given the facts and summary judgment evidence adduced and the Court's conclusion that Book's conduct in stopping and detaining Harrell was reasonable and not contrary to "clearly established statutory or constitutional rights," the Court finds, as a matter of law, that Book's conduct was neither extreme nor outrageous as is required to support a claim of IIED.

The outrageous conduct element of an intentional infliction of emotional distress claim

was explained by the Fifth Circuit Court of Appeals in Dean v. Ford Motor Credit Co., 885 F.2d 300, 306 (5th Cir. 1993) (citing RESTATEMENT (SECOND) OF TORTS 46) :

> Liability [for outrageous conduct] has been found only where the conduct has been so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community. . . . Generally, the case is one in which a recitation of the facts to an average member of the community would lead him to exclaim, "Outrageous."

Given the multiple thefts that had occurred in the education building and Joy Hindmon's report of a suspicious person in the building, Book's conduct in stopping Harrell to determine his identity was neither extreme nor

outrageous under the standard set forth in Dean v. Ford Motor Credit Co. Additionally, given that Harrell refused to provide Book with his social security number and was generally uncooperative, Book's conduct in detaining Harrell for 20-30 minutes, and awaiting the arrival of his supervisor, was neither extreme nor outrageous. Because Harrell has provided no allegations and no evidence that Book's conduct was extreme or outrageous, summary judgment is also warranted on Harrell's IIED claim against Book in his individual capacity.

VI.

Conclusion

Based on the foregoing, it is ORDERED that Defendants' Motion for Summary Judgment (Instrument No. 23) is GRANTED in all respects. Signed at Houston, Texas, this 9th day of March, 1994.

FRANCES H. STACY
UNITED STATES
MAGISTRATE
JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

NORRIS HARRELL
Plaintiff,

VS.

CIVIL NO. H-92-3087

UNIVERSITY OF HOUSTON POLICE DEPT.
FRANCES H. STACY
Defendant,
UNITED STATES
MAGISTRATE
JUDGE

FINAL JUDGMENT

Based on this Court's Order of March 9, 1994, granting summary judgment in favor of Defendants University of Houston Police Department and Dennis Book, it is the JUDGMENT of this Court that Plaintiff Norris Harrell take nothing on,.his claims against University of Houston Police Department and Dennis Book.

Signed at Houston, Texas, this 10th day of March, 1994.

FRANCES H. STACY
UNITED STATES
MAGISTRATE
JUDGE

DATE OF REQUEST: 04/24/95
THE CURRENT DATABASE IS FCIV-DCT
YOUR TERMS AND CONNECTORS QUERY:

SY("SUMMARY JUDGMENT" +5 GRANTED) & TI(COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result Documents: 343
Database: FCIV-DCT

1. Elder v. Holloway, 874 F.Supp. 278 (D.Idaho, Jan 31, 1995) (NO. CIV. 88-1329-HLR)

2. Carter v. Lamb, 872 F. Supp. 784 (D.Nev., Jan 12, 1995) NO. CV-S-9300721PNV(LRL))

3. Cofield v. Randolph County Com'n, 874 F. Supp. 1276 (M.D.Ala., Dec 30,1994) (NO. CIV. A. 93-D-612-E)

4. Starbeck v. Linn County Jail, 871 F.Supp. 1129 (N.D.Iowa, Dec 12, 1994) (NO. C91-0091)

5. Camell v. Grimm, 872 F.Supp. 746 (D.Hawaii, Dec 06, 1994) (NO. CIV. 93-00385DAE)

6. Rotondo v. City of Georgetown, S.C.. 869 F. Supp. 369, 129 Lab.Cas. P 33,208, 2 Wage & Hour Cas.2d (BNA) 946 (D.S.C., Nov 22,1994) (NO. 2:93-1980-18)

7. Thompson v. Wyandotte County Detention, 869 F.Supp. 893 (D.Kan., Nov 21, 1994) (NO. 91-3360-DES)

8. Brown v. City of New York, 869 F. Supp. 158, 66 Fair Empl.Prac.Cas. (BNA) 636 (S.D.N.Y., Oct 25, 1994) (NO. 89 CIV. 0024 (SWK))

9. Tenenbaum on Behalf of Tenenbaum v. Williams, 862 F.Supp. 962, 94 Ed. Law Rep. 1186 (E.D.N.Y., Sep 30,1994) (NO. 91-CV-0037 (DRH))

10. Lindsay v. City of Philadelphia, 863 F.Supp. 220 (E.D.Pa., Aug 23, 1994) (NO. CIV. A. 93-6650)

11. Jackson v. Liberty County, 860 F.Supp. 360 (E.D.Tex., Jul 26, 1994) (NO. 1:93-CV415)

12. Mark v. Borough of Hatboro, 856 F.Supp. 966 (E.D.Pa., Jun 30, 1994)(NO. CIV, A. 92-CV-7354)

13. Provident Mut. Life Ins. Co. of Philadelphia v. City of Atlanta, 856 F.Supp. 1274 (N.D.Ga., Jun 28,1994) (NO. 1:93-CV-1341

14. Scout v. City of Gordon, 849 F.Supp. 687 (D.NE, Apr 12, 1994) (NO. 7:CV92-3436)

15. Andrade v. City of Burlingame, 847 F.Supp. 760 (N.D.Cal., Mar 23, 1994)(NO. C-93-0453 MHP)

16. Newsome v. Webster, 843 F,Supp. 1460, 28 Fed.R.Serv.3d 794 (S.D.Ga., Feb 03,1994) (NO. CIV.A. CV192-71)

17. Pauli v. Board of Educ., Farmington Cent. Community Unit School Dist., Dist. No. 265, 941 F. Supp. 840, 88 Ed. Law Rep. 1075 (C.D.Ill., Jan 12, 1994) (NO. 91-1016)

18. Pearson v. City of Paris, 839 F.Supp. 645 (W.D.Ark., Dec 02, 1993)(NO. CIV. 93-2082)

19. Whitfield v. Board of County Com'rs of Eagle County, Colo., 837 F.Supp. 338 (D.Colo., Nov 09, 1993) (NO. 90-C- 1 54 1)

20. Scott v. City of Lanett, 845 F.Supp. 815 (M.D.Ala., Nov 04, 1993)(NO. CIV. A. 92-D-1037-E)

21. Ball v. City of Cheyenne, Wyo., 845 F.Supp. 803, 64 Fair Empl.Prac.Cas. (BNA) 286 (D.Wyo., Oct 29, 1993) (NO. 93-CV-0060-J)

22. Gibson v. City of Clarksville, Tenn., 860 F.Supp. 450 (M.D.Tenn., Oct 04, 1993) (NO. 3:92-005 1)

23. Irby v. Bittick, 830 F. Supp. 632, 62 Fair Empl.Prac.Cas. (BNA) 1467, 63 Empl. Prac. Dec. P 42,677, 126 Lab.Cas. P 33,029, 1 Wage & Hour Cas.2d (BNA) 1136 (M.D.Ga., Sep 08, 1993) (NO. C.A.92-404-3MAC(WDO))

24. O'Malley v. New York City Transit Authority, 829 F.Supp. 50,8 IER Cases 1304 (E.D.N.Y., Aug 11, 1993) (NO. 9 I-CV-0636 (JRB))

25. Helms v. Gamet, 828 F.Supp. 819 (D.Colo., Aug 06, 1993) (NO. CIV A 92-F-2459)

26. Barker v. Brantley County, Ga., 832 F.Supp. 346 (S.D.Ga., Jul 29, 1993) (NO. CIV A CV292-256)

27. Graham v. City of Chicago, 828 F.Supp. 576 (N.D.111., Jul 21, 1993) (NO. 92 C 3364)

28. Reiff v. Philadelphia County Court of Common Pleas, 827 F.Supp. 319,64 Fair Empl.Prac.Cas. (BNA) 595, 63 Empl, Prac. Dec. P 42,699 (E.D.Pa., Jul 15, 1993) (NO. CIV. A. 92-5004)

29. Arrow Office Supply Co. v. City of Detroit, 826 F.Supp. 1072 (E.D.Mich., Jul 07, 1993) (NO. CIV. A. 91-76357)

30. Green v. Fairfax County School Bd., 832 F.Supp. 1032 65 Fair Empl.Prac.Cas. (BNA) 1035 (E.D.Va., Jul 07, 1993) (NO. CIV. A. 93-104-A)

31. Rubeck v. Sheriff of Wabash County, 824 F. Supp. 1291 (N.D.Ind., May 27,1993) (NO. 3:92CV290AS)

32. B Street Commons, Inc. v. Board of County Com'rs of El Paso County, 835 F.Supp.

1266 (D.Colo., May 27, 1993) (NO. CIV. A. 87-M-1679)

33. Deblasio v. Zoning Bd. of Adjustment for Tp. of West Amwell, 820 F.Supp. 876 (D.N.J., May 06, 1993) (NO. CIV 92-926 (CSF))

34. Bullock v. Dioguardi, 847 F.Supp. 553 (N.D.Ill., Apr 30, 1993) (NO. 96 C 3819)

35. Skydiving Center of Greater Washington, D.C., Inc. v. St. Mary's County Airport Com'n, 823 F.Supp. 1273 (D.Md., Apr 16, 1993) (NO. CIV. JFM-92-1012)

36. Barcume v. City of Flint, 819 F.Supp. 631, 62 Empl. Prac. Dec. P 42,544 (E.D.Mich., Apr 08, 1993) (NO. CIV, A. 84-CV-9066FL)

37. Snair v. City of Clearwater, 817 F.Supp. 108 (M.D.Fla., Mar 29, 1993)(NO. 88-889-CIV-T-17B)

38. Adamson v. City of Provo, Utah, 819 F.Supp. 934 (D.Utah, Mar 22, 1993)(NO. 91-C-546A)

39. Turner v. City of Beaumont, 835 F.Supp. 916 (E.D.Tex., Mar 11, 1993)(NO. CIV A 1:92-CV-60)

40. Hering v. Hill, 814 F.Supp. 356 (S.D.N.Y., Feb 25, 1993)(NO. 92 CIV 6783 (VLB))

41. Scjnoha v. City of Bisbee, 815 F.Supp. 1300 (D.Ariz., Feb 25, 1993)(NO. CIV 92-482 TUC RMB)

42. Lintz v. Skipski, 815 F.Supp. 1066 (W.D.Mich., Feb 23, 1993) (NO. 1:92-CV-83)

43. Farmer v. City of Fort Lauderdale, 814 F.Supp. 1 10 1(S.D.Fla., Feb 03,1993) (NO. 91-7043-CIV-GONZALEZ)

44. Jones v. Village of Villa Park, 815 F.Supp. 249 (N.D.Ill., Jan 19, 1993) (NO. 92 C 2044)

45. West Virginia Pride, Inc. v. Wood County, W.Va., 811 F.Supp. 1142 (S.D.W.Va., Jan 14, 1993) (NO. CIV. A. 6:92-803)

46. Hehemann v. City of Cincinnati, 809 F.Supp. 557 (S.D.Ohio, Dec 11, 1992) (NO. C-1-92-303)

47. Greenfield v. City of Miami Beach, Fla., 844 F. Supp. 1519, 63 Fair Empl.Prac.Cas. (BNA) @78, 64 Empl. Prac. Dec. P 43,015 (S.D.Fla., Nov 10, 1992) (NO. 91-2728CIV-HIGHSNUT'H)

48. Kennedy v. McCarty, 803 F. Supp. 1470 (D. Ind., Oct 16, 1992) (NO. IP 90-228-C)

49. Datz v. Hutson, 806 F. Supp. 982 (N.D. Ga., Sep 24, 1992) (NO. CIV. 1:90-CV-1179JEC)

50. Emory v. Logan, 801 F, Supp. 899 (D.Mass., Sep 18, 1992) (NO. CIV A 90-1208 1 -Z)

51. Haverstick Enterprises, Inc. v. Financial Federal Credit, Inc., 803 F,Supp. 1251 (E.D.Mich., Sep 10, 1992) (NO. 91-76874)

52. Washington Square Post No. 1212 v. City of New York, OoOg F.Supp. 264 (S.D.N.Y., Aug 31, 1992) (NO, 86 CIV 5018 (PKL))

53, Hunt Paving Co., Inc. v. City of Indianapolis, 800 F.Supp. 740 (S.D.Ind., Aug 19,1992) (NO. EP 90-1579-C)

54. Reynolds v. Borough of Avalon, 799 F.Supp. 442, 61 USLW 2 100, 59 Fair Empi.Prac. Cas. (BNA) 1049, 60 Empl. Prac. Dec. P 41,941 O:).N.J., Aug 05,1992) (NO. CIV. 904250)

55. Gonzales v. North Tp. of Lake County, 800 Supp. 676 (D.Ind., Jul 28, 1992) (NO. CIV. H93-402)

56. Harris v. Board of Educ, of Columbus, Ohio, City School Dist., 798 F.Supp. 1331, 77 Ed. Law Rep. 800 (S.D.Ohio, Jun 26, 1992) (NO. CIV. A. C-2-86-909)

57. Aaron v. City of Wichita, Kan,, 797 F.Supp. 898, 30 Wage & Hour Cas. (BNA) 1681, 122 Lab.Cas. P 35,679 (D.Kan., Jun t7, 1992) (NO. 90-1536-K)

58. E.E.O.C. v. Com. of Mass., 788 F.Supp. 106, 60 USLW 2672, 58 Fair Empt.Prac.Cas. (BNA) 913, 59 Empl. Prac. Dec. P 41,692, 15 Employee Benefits Cas. 1354 (D.Mass., Apr 17, 1992) (NO. CIV, A. 89-1959-H)

59. Bailey v. Kenney, 791 F.Supp, 15 11 (D.Kln., Apr 16,19t)l) (NO. CIV. A. 90-1257-B)

60. Tanberg v. Weld County Sheriff, 787 F.Supp. 970, 60 USLW 2591, 59 Fair Empl.Prac.Cas. (BNA)

220, 59 Empl. Prac. Dec. P 4 t,687, 2 A.D. Cases 148, 2 NDLR P 327 (D.Colo., Mar 18, 1992) (NO. CIV.A, 91-B-248)

61. Williamson v. City of Virginia Beach, Va., 786 F.Supp. 1238 (E.D.Va., Mar 13, 1992) (NO. CIV. A. 90-1861-N)

62. West v. Clinton, 786 F.Supp. 803 (W.D.Ark., Mar 12, 1992) (NO. 91-2237)

63. Moore v. City of Edgeivood, 790 F. Supp. 1561 (M.D.Fla., Mar 05, 1992) (NO. 89-0680-CIV-ORL-18)

64. Ulmer v. City of Overland Park, Kan., 784 F.Supp. 807 (D.Kan., Feb 04, 1992) (NO. CIV. A. 90-2179-V)

65. Marshall v. Dunwoody Village, 782 F. Supp. 1034, 58 Fair Empt.Prac.Cas. (BNA) 215, 58 Empl. Prac. Dec. P 41,492, 125 Lab.Cas. P 57,384, 7 [ER Cases 337 (E.D.Pa., Jan 27, 1992) (NO. CIV. A. 91-1706)

66. Moche v. City University of New York, 781 F.Supp. 160, 62 Fair Empl.Prac.Cas. (BNA) 1163, 72 Ed. Law Rep. 562 (E.D.N.Y., Jan 02,1992) (NO. 91-CV-1312 (JRB))

67. Roa v. City of Bethlehem, Pa., 782 F.Supp. 1009 (E.D.Pa., Dec 19,1991) (NO. CIV. A. 89-5013)

68. Leonard Partnership v. Town of Chenango, 779 F. Supp. 223 (N.D.N.Y., Dec 03, 199 1) (NO. 88-CV@5)

69. Windmill Pointe Village Club Ass'n, Inc. v. State Farm General Ins. Co. 779 F.Supp. 596 (M.D.Fla., Nov 29,1991) (NO. 91-152-CIV-ORL-19)

70. Fry v. Board of County Com'rs of County of Baca, 837 F.Supp. 330 (D. Colo., Nov 06, 199 1) (NO. CIV. A. 88-F- 1 788)

71. Capeletti Bros,, Inc. v. Metropolitan Dade County, 776 F.Supp. 1561 (S.D.Fla., Oct 29, 199 1) (NO. 90-0678-CIV)

72 Hoagy Wrecker Service, Inc. v. City of Fort Wayne, 776 F.Supp. 1350 (N.D.Ind., Oct 15, 1991) (NO. CIV F 90 232)

73. Cipriano v. Board of Educ. of City School Dist. of City of North Tonawanda, N.Y., 772 F. Supp. 1346, 57 Empl. Prac. Dec. P 41,093, 70 Ed. Law Rep. 88, 14 Employee Benefits Cas. 1439 (W.D.N.Y., Sep 19, 199 1) (NO. CIV-84-80C)

74. Cap'n Hook Auto Parts, Inc. v. Board of Tp. Trustees, Liverpool Tp., 773 F.Supp. ?I (N.D.Ohio, Aug 23, 199 1) (NO. C89-0520)

75. Handle v. City of Little Rock, 772 F.Supp. 434 (E.D.Ark., Aug 20, 199 1) (NO. CIV. LR-C-90-613)

76. Linares v, City of White Plains, 773 F.Supp. 566, 58 Fair Empl,Prac.Cas. (BNA) 1016 (S.D.N.Y., Aug 12, 199 1) (NO. 89 CIV 7315)

77. Crigler v. City of St. Louis, Mo., 767 F.Supp. 197 (E.D.Mo., Jul 15, 1991) (NO, 90-1778C(6))

78. Kamenesh v. City of Miami, 772 F.Supp. 583 (S.D.Fla., Jul 15, 199 1) (NO. 87-0509-CIV)

79. Associated Builders & Contractors, Golden Gate Chapter Inc. v. Baca, 769 F.Supp. 1537,60 USLW 2076,137 L.R.R.M. (BNA) 2677, 30 Wage & Hour Cas. (BNA) 569,123 Lab.Cas. P 10,410, 13 Employee Benefits Cas. 2648 (N.D.Cal., Jun 21, 1991)(NO. C-90-1575-CAL, C-90-3581-CAL)

80. Cobb v, Village of Oakwood, 789 F.Supp. 237 (N.D.Ohio, Jun 19, 1991) (NO. 1:90CV1890)

81. Gilliesv. Utah County, 765 F.Supp. 692 (D.Utah, Jun 17, 1991) (NO. C-98-666A)

82. Kemp v. Claiborne County Hosp., 763 F. Supp. 1362, 6 IER Cases 836 (S.D.Miss., Jun 04,1991) (NO. CIV.A.W89-0076(B))

83. Carrillo v. Ward, 770 F.Supp. 815, 56 Fair Empi.Prac.Cas, (BNA) 1558 (S.D,N.Y., Jun 04, 1991) (NO. 87 CIV. 7832 (WK))

84. Baker v. Alderman, 766 F. Supp. 11 12 (M.D.Fla., Jun 03, 199 1)(NO. 88-1335-CIV-T-17A)

85. Halistrom v. City of Garden City, Idaho, 811 F.Supp. 1443
(D.Idaho, May 03, 199 1) (NO. CIV. 87-1360)

86. Thompson v. City of Clio, 765 F.Supp. 1066 (M.D.Ala., May 02,1991) (NO, CIV A 90-T-908-N)

87. Collier v. Krane, 763 F. Supp. 473 (D, Colo., May 0 1, 199 1)(NO. CIV.A.99-S-862)

88. Silver v. City University of New York, 767 F. Supp. 494, 56 Fair Empt.Prac.Cas. (BNA) 936, 57 Empt. Prac. Dec. P 4 t,002 (S.D.N.Y., Apr 22, 1991) (NO. 90 CIV. 0061 (KTT)))

89 Grace v. City of Detroit, 760 F.Supp. 646 (E.D.Mich., Apr 05, 199 1)(NO. CIV. 90 71078-DT)

90. Smith v. Turner, 764 F.Supp. 632 (N.D.Ga., Mar 25, 1991) (NO. CIVAI:89-CV-0907-JOF)

9 1. Johnson v. City of Tarpon Springs, 758 F.Supp. 1473, 57 Empl. Prac. Dec. P 41,004 (M.D.Fla., Mar 19, 199 1) (NO. 89-1634-CIV-T-17C)

92. Jansen v. City of Cincinnati, 758 F.Supp. 45 1, 64 Fair Empl.Prac.Cas. (BNA) 1652, 60 Empl. Prac. Dec. P 41,974 (S.D.Ohia, Mar 18, 1991) (NO. CIV, C-1-89-079, CIV. C-1-89-479, civ. C-1-90-131)

93. Masi-Schmick v. City of Shawnee, Kan., 759 F. Supp. 747, 59 Fair Empl.Prac.Cas. (BNA) 1455, 57 Empl. Prac. Dec. P 41,022 (D.Kan., Mar 14, 1991) (NO, CIV.A. 90-4045-S)

94. Price v. Carpenter, 758 F.Supp. 403 (N.D.Tex., Fcb 25, 1991) (NO. CIV.A. 4-90-639-E)

9. Watson v. Sexton, 755 F.Supp. 583 (S.D.N.Y., Jan 15. 1991)(O. 89 CIV. 0225 (MBK)

96. Jordan v. City of Bucyrus, Ohio, 754 F.Supp. 554, 36 L.R.R.M. (BNA) 2370 (N.D.Ohio, Jan 02,1991) (NO. 99-CV-1091)

97. Naugle v. Witney, 755 F.Supp. 1504 (D.Utah, Dec 31, 1990) (NO. CIV. 89-C-372W)

8. Pie@ v. City of New York, Dept. of Personnel, 753 F. Supp. 468 (S.D.N.Y., Dec 18,1990) (NO. 85 CIV 9893 (JSNfl)

99 Cawley v. City of Port Jervis, 753 F.Supp. 128 (S.D.N.Y., Dec 12, 1990) (NO. 90 CIV 5194 (RLC))

100. Jacobs v. Dujmovic, 752 F.Supp. 1516 (D.Colo., Dec 11, 1990) (NO. CIV.A. 88-B-1985)

101. Van Pool v. City and County of San Francisco, 752 F.Supp. 915, 54 Fair Empl.Prac.Cas. (BNA) 1512, 55 Empl, Prac. Dec. P 40,489 (N.D.Cal., Dec 10, 1990) (NO. C-894304 @, C-84-7098)

102. Hubbard v. City of Middletown, 782 F.Supp. 1573, 59 Empl. Prac. Dec. P 41,688 (S.D.Ohio, Dec 05,1990) (NO. C-1-88-0229)

103. Elder v. Holloway, 751 F.Supp. 858 (D.Idaho, Nov 21, 1990) (NO. CIV. 88-1329)

104. Arnold v. Board of Educ. of Escambia County, Ala., 754 F.Supp. 853, 65 Ed. Law Rep. 390 (S.D.Ala., Nov 01, 1990) (NO. CIV.A. 86-0928-B)

105, Liggins v. Morris, 749 F.Supp, 967 (D.Nfinn., Oct 26, 1990) (NO. 3-89 CIV 52)

106 Association of Surrogates and Supreme Court Reporters Within City of NewYork v. State of N.Y., 749 F.Supp. 97 (S.D.N.Y., Oct 26, 1990) (NO. 90 CIV. 6522 (RPP))

107, Walton v. City of Southfield, 748 F. Supp. 1214 (E.D.Mich., Oct 16,1990) (NO. 90-CV-70953)

108. Twin City Fire Ins. Co. v. King County, Wash., 749 F.Supp. 230, 54 Fair Empi.Prac.Cas. (BNA) 297 (W.D. Wash., Sep 20, 1990) (NO. C90-684R)

109. Wright v. Whiddon, 747 F. Supp. 694 (M.D. Ga., Sep 10, 1990) (NO. CIV87-77ALB/ANMR(DF))

I 10. Raley v. Board of St. Mary's County Com'rs, 752 F. Supp. 1272, 56 Fair Empi.Prac.Cas. (BNA) 1824 (D.Md., Sep 07, 1990) (NO. CIV A WN-89-1637)

I I 1. Stokes v. City of Chicago, 744 F.Supp. 183 (N.D,Ill., Aug 24, 1990) (NO. 86 C 4759)

112. Zwalesky v. Manistee County, 749 F.Supp, 8 1 5 (W.D.Mich.. Aug 16, 1990) (NO. 1:89-CV-794)

113. Spratlin v. Montgomery County, Md., 772 F.Supp. 1545 (D.Md., Aug 14,1990) (NO,. CIV.H-89-906)

114. James v. Capital City Press, 742 F.Supp. 347, 57 Fair Empl.Prac.Cas. (BNA) 575, 55 Empl, Prac, Dec. P 40,382 (M.D.La., Jul 27, 1990) (NO. CIV A 89-234-B)

115. Morton v. City School Dist. of City ofnew York, 742 F.Supp. 145, 65 Fair Empt.Prac.Cas. (BNA) 683, 62 Ed. Law Rep. 516 (S.D.N.Y., Jul 13,1990) (NO. 88 CIV. 1249 (RPP))

116. Jordan v. City of Bucyrus, Ohio, 739 F.Supp. t 124, 135 L,R.R.M. (BNA) 2072, 116 Lab.Cas. P 10,322 (N.D.Ohio, Jun 25,1990) (NO. 89-CV-1091)

117. C-1 by P-1 v. City of Hom Lake, Miss., 775 F.Supp. 940, 70 Ed. Law Rep. 1086 (N.D.Miss., Jun 15, 1990) (NO. CIV. A. DC88-116-D-0)

I 18. Gabarczyk v. Board of Educ. of City School Dist. of ughkeepsie,
738 F.Supp. 118, 53 Fair Empl.Prac.Cas. (BNA) 843, 54 Empl. Prac. Dec. P 40,197, 61 Ed. Law Rep. 102 (S.D.N.Y., May 24,1990) (NO. 87 CIV. 0081 (KC))

119. Doe v. Angelina County, Texas, 733 F.Supp. 245 (E.D.Tex., Mar 19,1990) (NO. CIV.A. L-98-59-CA)

120. Hynson v. City of Chester, 731 F.Supp. 1236 (E.D.Pa,, Mar 08, 1990) (NO. CIV.A.86-2913)

121. Mustfov v. Superintendent of Chicago Police Dept., 733 F.Supp. 283 (N.D.Ill., Feb 20, 1900) (NO. 86 C 3905)

122. Cone Corp. v. Hillsborough County, 730 F.Supp. 1568, 53 Empl. Prac. Dec. P 39,763 (M.D.Fla., Feb 13, 1990) (NO. 89-540-CIV-T-17(A))

123. Carr v. Town of Dewey Beach, 730 F.Supp. 591 (D.Del., Feb 02, 1990) (NO. CIV.A. 87-632 MMS)

124. Unified School Dist. No. 457, Finney County, Kan, v. Phifer, 729 F.Supp. 1298, 58 Ed. Law Rep. 939 (D.Kan., Jan 30, 1990) (NO. 87-1187-C)

125. Magnuson v. City of Hickory Hills, 730 F.Supp. 1439 (N.D.Ill., Jan 16,1990) (NO. 88 C 9815)

126. Collins v. School Dist. of Kansas City, Mo., 727 F.Supp. 1318,51 Fair Empi.Prac.Cas. (BNA) 1574, 52 Empl. Pric. Dec. P 39,71 1, 58 Ed. Law Rep. 150 (W.D.Mo., Jan 04,1990) (NO. 88-0655-CV-W-3)

127. Russillo v. Scarborough, 727 F.Supp. 1402 (D.N.M., Dec 20, 1989) (NO. CIV. 88-1412 JB)

128. Coral Const. Co. v. King County, 729 F.Supp. 734,
Empl. Prac. Dec. P 39.764 (W.D.Wash., Dec 04, 1989) (NO. C89-1488@)

129. Town of South Whitley, Whitley County, Ind. v. Cincinnati Ins. Co., 724 F.Supp. 599, 51 Fair Empl.Prac.Cas. (BNA) 552 (N.D.Ind., Nov 01, 1989) (NO@ CIV. F88-358)

130. Skorcpa v. City of Chula Vista, 723 F.Supp. 1384 (S.D.Cal., Oct 06, 1989) (NO. 88-0464-R(M))

13 1. Green v. City of New York Medical Examiner's Office, 723 F. Supp. 973 S.D.N,Y., Oct 06,1989) (NO. 89 CIV. 2804 (GLG))

132. Wadud v. Willsie, 735 F.Supp. 1488 (D.Kan., Jul 31, 1989) (NO. 88-1227-K)

133. Weaver by Weaver v. New York City Employee!e Retirement System,717 F.Supp. 1039 (S.D.N.Y., Jul 21, 1989) (NO. 88 CIV. 2662 (NMM))

134. McCollum v. City of Powder Springs, Ga., 720 F. Supp. 985 (N.D.Ga., Jul 06, 1989) (NO. CIV.A. 88-CV-1 I 19JTC)

135. Parker v. Strong, 717 F.Supp. 767 (W.D.Okia., Jun 27, 1989) (NO. CIV-88-348-A)

136. Keppler v. Hinsdale Tp. High School Dist. 86, 715 F. Supp. 862, 58 USLW 2071, 50 Fair Empl.Prac.Cas. (BNA) 295, 52 Empl. Prac. Dec. P 39,638, 54 Ed. Law Rep. I 1 94

(N.D.111., Jun 20, 1989) (NO. 88 C $506) 137. Davis v. City of Charleston, Mo., 715 F. Supp. 263 (E.D.Mo., Jun 02, 1989) (NO. S84-283C(5))

138. McCauley v. City of Jacksonville, N.C., 739 F.Supp. 279
(E.D.N.C., Jun 02, 1989) (NO. 85-153-CIV-4) 139. Rosado v. City of New York, 713 F.Supp. 124 (S.D.N,Y., May 30,1989) (NO. 87 CIV. 9261 (LLS))

140. Walsh v. City of Chicago, 712 F.Supp. 1303 (N.D.Ill., Apr 20, 1989)(NO. 87 C 3336)

141. Fcnnaint v. New York City Housing Authority, 708 F.Supp. 92 (S.D.N.Y., Mar 20,1989) (NO. 88 CIV. 2280 (RWS))

142. Vallina v. Meese, 704 F.Supp. 769 (E.D.Mich., Jan 20, 1989) (NO. CIV 87-74316)

143. New York State Nat. Organization for Women v. TcrTy, 704 F. Supp. 1247 (S.D.N.Y., Jan 20, 1999) (NO. 88 CIV. 3071 (RIW))

144. Baker v. DuPage County, 703 F.Supp. 735 (N.D.111., Jan 06, 1989) (NO. 87 C 9279)

145 Bendiburg v. Dempsey, 707 F.Supp. 1318 (N.D.Ga., Jan 05, 1989) (NO. CIV A 1: 87-CV I 774JOF)

146. Harris v. City of Kansas City, Kan., 703 F.Supp. 1455 (D.Kan., Dec 09, 1988) (NO. CIV. A. 87-2507-S)

147. Jones v. Marion County Small Claims Court, Lawrence Tp. Div., 701 F.Supp. 1414 (S.D.Ind., Dec 06, 1988) (NO. IP 88-312-C, IP 88-346-C)

148. Long v. City of Saginaw, 702 F. Supp, 1313, 48 Fair Empl.Prac.Cas. (BNA) 1286, 50 Empl. Prac. Dec. P 39,0 10 (E.D.Mich., Dec 0 1, 1988) (NO. CIV A 83-7265-BC)

149. Haehn v. City of Hoisington, 702 F.Supp. 1526, 56 Fair Empl.Prac.Cas. (BNA) 98, 60 Empl. Prac. Dec. P 41,979 (D.Kan., Dec 0 1, 1988) (NO. 86-1280-C)

150. Florida Pawnbrokers and Secondhand Dealers Ass'n, Inc. v, City of Fort Lauderdale, 699 F.Supp. 888 (S.D.Fla., Nov 17, 1988) (NO. 87-7008-CIV-GONZALEZ)

151. Matthews v. City of Atlanta, 699 F.Supp. 1552 (N.D.Ga., Oct 19, 1988) (NO. CIVAI:87-CV-0026JOF)

152. Leong v. Hilton Hotels Corp., 698 F. Supp. 1496, 48 Fair Empl.Prac.Cas. (BNA) 535, 4 [ER Cases 47 (D.Hawaii, Oct 07,1988) (NO. CIV. 87-0840 (ACK))

153. Waters v. Buckner, 699 F.Supp. 900 (N.D.Ga., Sep 27, 1988) (NO. CIV.AI:87-CV-1015JOF)
154. Strykers Bay Neighborhood Council, Inc. v. City of New York, 695 F.Supp. 1531 (S.D.N.Y., Sep 13,1988) (NO. 85 CIV 5362 (WCC))

155. Collom v. Incorporated Village of Freeport, N.Y., 691 F.Supp. 637 (E.D.N.Y., Aug 17,1988) (NO. 86 C 2872)

156. Fenstermaker v. City of Dayton, Ohio, 712 F.Supp. 639 (S.D.Ohio, Aug 17, 1988) (NO. C-3-87-53 2)

157. Fountain v. City of Waycross, Ga., 701 F. Supp. 1570, 47 Fair Empl.Prac.Cas. (BNA) 976 (S.D.Ga., Aug 05, 1988) (NO. CV588-013)

158. Russell v. City of Kansas City, Kan., 690 F.Supp. 947, 57 USLW 2145, 1989-1 Trade Cases P 68,559 (D.Kan., Aug 03, 1988) (NO. CIV. A. 86-2132)

159. Pleasant by Pleasant v. Stanly County Bd. of Educ., 690 F.Supp. 1478, 48 Ed. Law Rep. 931 (M.D.N.C., Jul 20,1988) (NO. C-89-129-S)

160. Nelson v. City of Elmhurst, 691 F. Supp. 122 (N.D.Ill., Jun 30, 1988) (NO. 87 C 4356)

161. Society of Professional Journalists, Headliners Chapter v. Briggs, 687 F.Supp. 1521, 16 Media L. Rep. 1134 (D.Utah, Sun 22, 1998) (NO. CIV. 87-C-0714G)

162. Friedman v. New York City Dept. of Housing and Development Admin., 688 F.Supp. 896, 11 Fcd.R.Scrv.3d 815 (S.D.N.Y., Jun 08, 1988) (NO. 85 CIV. 5 t28 (RLC))

163. Mann v. City of Albany, 687 F.Supp. 583, 46 Fair Empi.Prac.Cas. (13NA) 1699, 50 Empl. Pr,,ic. Dec. P 39,129 (M.D.Ga., Jun 06,1988) (NO, CIV. 85262A.LBAMER DF)

164. Native Village of Venetic 1,R.A. Council v. State of Alaska, 687 F. Supp. 1380,56 USLW 2707 (D. Aliska, May 13, 1988) (NO. F86-075 CIV.)

165. Lopez v. City of Dallas, 696 F.Supp. 240 (N.D.Tex,, Apr 06, 1988) (NO. CIV. A. 3-87-2165-T)

166. Williams v. North, 685 F.Supp. 502 (D.Md., Mar 30,1988) (NO. CIV. K-85-3088)

167. Jane Doe A v, Special School Dist. of St. Louis County, 682 F. Supp. 45 1, 46 Ed. Law Rep. 238 (E.D.Mo., Mar 25,1998) (NO, 95-2&OIC(I), 87-168IC(I), 87-1682C(I), 87-1683C(I), 87-1684C(I), 87-1686C(I), 87-1687C(I), 87-1688C(I), 87-1689C(I))

168. Schertz v. Waupaca County, 683 F.Supp. 1531 (E.D.Wis., Mar 22, 1988) (NO@ 86-C-739)

169. Taylor v. Kvcton, 684 F.Supp. 179 (N.D.Ill., Mar 18, 1988) (NO. 86 C 7444)

170. Bee v. DeKalb County, 679 F.Supp. 1107 (N.D.Ga., Fcb 23, 1988) NO. 1:87-CV-356-RHH)

171. Schepp v. Fremont County, Wyo., 685 F.Supp. 1200 (D. Wyo., Feb 09,1988) (NO. C87-0292J)

172. Toledo Police Patrolman's Assn v. City of Toledo, 716 F. Supp. 300 (N.D.Ohio, Feb 04, 1988) (NO. C 87-7435)

173. Association of Contracting Plumbers of City of New York, Inc. v. Local Union No. 2 United Ass'n of Journeymen and Apprentices of Plumbing and Pipefitting Industry of U.S. and Canada, AFL-CIO, 676 F.Supp. 523, 127 L.R.R.M. (BNA) 3026 (S.D.N.Y., Jan 06,1988) (NO. 86 CIV 9005 (MEL), 86 CIV 4048 @L), 87 CIV 0255 (MEL))

174. Clouser v. City of Thornton, 676 F.Supp. 228, 45 Fair Empi.Prac.Cas. (BNA) 1063 (D.Colo., Dec 31, 1987) (NO. CIV.A. 87-C-837)

175. O'Kelly v. Russell Tp. Bd. of Trustees, 675 F. Supp. 389 (N.D.Ohio, Dec 16, 1987) (NO. C87-926)

176. Turner v. City of North Charleston, 675 F.Supp. 314 (D.S.C., Dec 14, 1987) (NO. CIV A 2:85-1402-8)

177. Kness v. City of Kenosha, Wis., 669 F.Supp. 1484 (E.D.Wis., Sep 25, 1987) (NO. 85-C-635, 85-C-669, 85-C-670, 85-C-671)

178. Women's Health Center of West County, Inc. v. Webster, 670 F. Supp. 845 (E.D.Mo., Sep 24, 1987) (NO. 87-005OC(6))

179. Michigan Environmental Resources Associates, Inc. v. Macomb County, 669 F.Supp. 158, 26 ERC 1712 (E.D.Mich., Sep 18, 1987) (NO. CIV. A 84CV252ODT)

180. Crocker v. Fluvanna County (VA) Bd. of Public Welfare, 676 F.Supp. 711 (W.D.Va., Sep 18, 1987) (NO. CIV A 86-0188-D-C)

181. Delaney v. Carmichael, 670 F.Supp. 255 (S.D.Ind., Aug 26, 1987) (NO. IP 86-1643-C)

182. Werry v. Horton, 666 F.Supp. 744 (W.D.Pa,, Aug 06, 1987) (NO. CIV.A. 84-2770)

183. Beddingfield v. City of Pulaski, Tenn., 666 F.Supp. 1064 (M.D.Tenn., Jul 17, 1987) (NO. 1-8@09 1)

184. Dudosh v. City of Allentown, 665 F.Supp. 381 (E.D.Pa., May 18, 1987) (NO. CIV A 854066)

185. scwisv.Tully,660F.Supp.293(N.D.Ill.,Mayl3,1987)(NO.gl C3833)

186. Blanton v. City of Murfreesboro, 658 F. Supp. 1540, 28 Wage & Hour Cas. (BNA) 240, 107 Lab.Cas. P 34,960 (M.D.Tenn., May 01, 1987) (NO. 3-86-0468)

187. Tompkins v. Frost, 655 F.Supp. 468 (E.D.Ntch., Mar 16, 1987)
(NO. 85-CV-40542-FL)

188. Bost v. Reno, 657 F.Supp. 128 (S.D.111., Mar 04, 1987) (NO. CIV. 86-3485)

189. Yonkers Com'n on Human Rights v. City of Yonkers, 654 F.Supp. 544 (S.D.N.Y., Feb 24,1987) (NO. 86 CIV. 4912 (CLB))

190. Taylor v. Walters, 655 F.Supp. 801 (E.D.Nfich., Feb 23, 1987) (NO. CIV.A. 85-0605)

191. Dickens by Dickens v. Johnson County Bd. of Educ., 661 F.Supp. 155 (E.D.Tenn., Feb 03,1987) (NO. CIV-2-86-91)

192. Board of Educ., Yonkers City School Dist. v. CNA Ins. Co., 113 F.R.D. 654, 37 Ed. Law Rep. 829 (S.D.N.Y., Ian 16, 1987) (NO. 95 CIV. 8859 (CLB))

193. Doe v. Rockingham County School Bd., 658 F.Supp. 403,
39 Ed. Law Rep. 590 (W.D.Va., Jan 16,1987) (NO. CIV. A. 86-0009-H)
194. Pendleton Const, Corp. v. Rockbridge County, Va., 652 F.Supp. 312,55 USLW 2437, 1987-1 Trade Cases P 67,478 (W.D.Va., Jan 06, 1987) (NO@ CIV. A. 84-0157-L)

195. Thompson v. Rock County, 648 F.Supp. 861 (W.D.Wis., Nov 24, 1986) (NO. 86-C-1-C)

196. Lombard v. Board of Educ. of City of New York, 645 F. Supp. 1574, 35 Ed. Law Rep. 705 (E,D.N.Y., Oct 29, 1986) (NO. 85 CV 2709 ERK)

197. Crot v. Byrne, 646 F. Supp. 1245 (N.D. 111., Sep 29, 1986) (NO, 83 C 7230)

198. Pacelli v. Nassau County Police Dept., 639 F.Supp. 1382,

21 Fed. R. Evid. Scrv. 1004 (E.D.N.Y., Jul 21, 1986) (NO, CV 84-0409)

199. Porter v. City of Detroit, 639 F.Supp. 589 (E.D.Mich., Jul 03, 1986) (NO. CIV. A. 83CV1399DT)

200. Board of Educ. of City School Dist. of City of Cincinnati v. Department of Health, Educ. and Welfare, 655 F. Supp. 1504, 38 Ed. Law Rep. 545 (S.D.Ohio, Jul 02, 1986) (NO. CIV C-1-74-185)

201. Lipsey v. Chicago Cook County Criminal Justice Com'n, 638 F.Supp. 837 (N.D.111., Jun 24,1986) (NO. 81 C 2232)

202. Williams v. City of Lancaster, Pa., 639 F.Supp. 377 (E.D.Pa., Jun 18, 1986) (NO. CIV A 85-1059)

203. Johnson v. Mayor and City Council of Baltimore, 637 F.Supp. 903, 55 USLW 2038,41 Fair Empi.Prac.Cas. (BNA) 17, 40 Empl. Prac. Dec. P 36,365, 41 Empl. Prac. Dec. P 36,557, 7 Employee Benefits Cas. 1830 (D.Md., Jun 17,1986) (NO. CIV. H-81-3253)1

204. Tavarez v. O'Malley, 635 F.Supp. 1274 (N.D.Ill., May 22, 1986) (NO. 85 C 4283)

205. Young v. City of Atlanta, 631 F.Supp. 1498 (N.D.Ga., Apr 10, 1986) (NO. CIV. C85-3006)

206. Robinson v. City of Montgomery, 651 F.Supp. 493 (E.D.Mo., Apr 03, 1986) (NO. N84-9 IC)

207. Betts v. Hamilton, County Bd. of Mental Retardation, 631 F.Supp. 1198, 40 Fair Empl,Prac.: Cas. (BNA) 1692, 41 Empl. Prac. Dec. P 36,431
(S.D.Ohio, Mar 27',, 1986) (NO. C-1-85-1 108)

208. Mazor v. Shelton, 637 F.Supp. 330 (N.D.Cal., Feb 18, 1986) (NO. C-85-2997-CAL, C-85-2945-CAL)

209. Beasley v. City of East Detroit Police Dept., 626 F.Supp. 1251 (E.D.Mich.,., Jan 29,1986) (NO. 85-CV-73024-DT)

210, AssamDrugCo,,Inc.v.MillerBreNvingCo.,Inc,,624 F.Supp.411,
1986-1 Trade Case P 66,988 (D.S.D,, Dec 23, 1985) (NO. CIV 84-4189)

211. Carman v. City of Eden Prairie, 622 F.Supp. 963 (D,Minn., Nov 27, 1985) (NO. CIV, 4-85-105)

212. Bowman v. Casler, 622 F.SLipp. 936 (N,D.N.Y., Nov 22,1985)
(NO. 83-CV- I t4O)

213. Sherrod v. Palm Beach County School Bd., 620 F.Supp. 1275, 28 Ed. Law Rep. 809 (S D.Fl:i., Oct 24. 1985) (NO. 85-8338-CIV-GONZALEZ)

214. Navajo Nation v. District Court for Utah County, Fourth Judicial Dist., State of Utah, 62 4 130 (D.Uuili, Sep 30, 1985) (NO. CIV. Cli@-3 t7(i)

215. Hudson v. Burke,, 617 F.Supp. 1501 (N.D.Lll., Sep 24, 1985)
(NO. 83 C 5785)

216. Thornton v. Wahl, 618 F.Supp. 1043 (N.D.111., Sep 19, 1985) (NO. 84 C 3089)

217. Sierra v. Lehigh County Pennsylvania, 617 F.Supp. 427 (E,D.Pa., Aug. 07, 1985) (NO CIV, A. 84-152)

218. John Does I -I 00 v. Byod, 613 F.Supp, 1514 (D.Minn., Jul 31, 1985)
(NO. CIV. 4-94-37S)

219. Gant v. Aliquippa Borough, 612 F.Supp, 1139 (W.D.Pa., Jul 10, 1985) (NO. CIV. A, 84-1675)

220. Reed v. Schneider, 612 F. Supp. 216 (E.D.N.Y., Jun 25, 1985) (NO. 79 CV 5286)

221. Hardmon v, Lehigh County, 613 F.Supp. 649 (E.D.Pa., Jun 17, 1985)
(NO. CIV.A. 84-4453)

222. Sheiner v. City of New York, 611 F.Supp. 172 (E.D.N.Y., Jun 12, 1985) (NO. 83 CV 2802)

223. Kuhns v. City of Commerce City, Colo., 621 F.Supp. 41 (D.Colo., Apr 22, 1985) (NO. CIV.A. 84-K-1317)

224. Hester v. Farmer Home Admin., 49 B.R. 593 (D.C.Mo., Apr 01, 1985) (NO. S84-0105C (D))

225. Zingmond v. Harger, 602 F.Supp. 256 (N.D.Ind., Feb 05, 1985)

(NO. L 83-114)

226. Racetrac Petroleum, Inc. v. Prince George's County, 601 F. Supp. 892, 1985-1 Trade Cases P 66,523 (D.Md,, Ian 31, 1985) (NO. CIV.A. R-83-3073)

227. Laskowski v. Mears, 600 F.Supp. 1568,40 Fair Empi.Prac.Cas. (BNA) 1709 (N.D.Ind., Jan 25, 1985) (NO. CIV. H-78-444)

228. Bowling by Nadvornik v. City of Westland, 603 F.Supp, 778 (E.D.Mich., Jan 17, 1985) (NO. CIV. 82-7280 1)

229. Wright v. City of Roanoke Redevelopment and Housing Authority, 605 F.Supp. 532 (W.D.Va., Dec 21, 1984) (NO. CIV. A. 82-0908)

230. Sellers v. Local 1598, Dist. Council 88, American Federation of State, County and Mun. Employees, AFL-CIO, 600 F.Supp. 1205 (E.D.Pa., Dec 14, 1984) (NO. CIV. A. 84-2373)

231. In re Greenwald, 48 B.R. 263, 9 Soc.Sec.Rcp.Ser. 904, Medicare & Medicaid Guide P 34,206 (S.D.N.Y., Oct 29,1984) (NO. 84 CIV. 0083 (RLC))

232. Parks v. Donrey, Inc., 596 F.Supp. 347, 1985-1 Trade Cases P 66,407 (W.D.Ark., Oct 24, 1984) (NO, 84-5098)

233. Family Planning Clinic, Inc. v. City of Cleveland, Ohio, 594 F.Supp. 14 10 (N.D.Ohio, Oct 02, 1984) (NO, C82-25SO)

234. Haskell v. Phinncy. 595 F.Supp. 637 (D.Me., Sep 28, 1984) (NO. CIV. 83-0225 P)

235. Hamer v. Anderson, 594 F.Supp. 561 (N.D.111., Sep 27, 1984) (NO. 79 C 3627)

236. Vari-Build, Inc. v. City of Rcno, 596 F.Supp. 673 (D.Nev., Sep 18,1984) (NO. CV-R-83-250-ECR)

237. Thomas S. by Brooks v. Morrow, 601 F. Supp. 1055 (W.D.N.C., Sep 18, 1984) (NO. C-C-82-418-M)

238, Savage v. Danc County, 588 F.Supp. 1129 (W.D.Wis., Jun 12, 1984) (NO. 84-C- I 14-S)

239. Daniel B. v. O'Bannon, 588 F.Supp. 1095 (E.D.Pa., Jun 11, 1984) (NO. CIV. 79-4088)

240. Augustyniak v. Koch, 588 F.Supp. 793 (S.D.N.Y., May 17, 1984) (NO. 82 CIV, 0105 (KTD))

241. Schott v. Hepler, 101 F.R.D. 99 (N.D.Ind., Mar 20,1984) (NO. F 83-8)

242. Thom v. Monroe County, 586 F.Supp. 1085 (M.D.Pa., Feb 10, 1984) (NO. CIV. 82-0951)

243. Janowiak v. Corporate City of South Bcnd, 576 F.Supp. 1461, 33 Fair Empi.Prac.Cas.

(BNA) 958, 34 Empl. Prac. Dec. P 34,353 (N.D.Ind., Dec 29,1983) (NO. CIV. S82-0209)

244. D@s V. City of Portsmouth, Va., 579 F.Supp. 1205 (E.D.Va., Dec 20,1983) (NO. CIV. 83-609-N)

245. Mandaglio v. United Broth. of Carpenters and Joiners of America (General Executive Bd.), 575 F.Supp. 646, 115 L.F-R,M. (BNA) 2123, 101 Lab.Cas. P 11,013 (D.N.Y., Nov 23,1983) (NO. &I CV 2521, 81 CV 2521 (ERN))

246. Shorez v. City of Dacono, Colo., 574 F. Supp. 130, 14 Ed. Law Rep. 713 (D.Colo., Nov 09,1983) (NO. CIV. 82-JM-1327)

247. Williams v. City Bank, 566 F.Supp. 827 (E.D.Mo., Jun 30, 1983) (NO. 82-212OC(l))

248. Beacon Syracuse Associates v. City of Syracuse, 560 F.Supp. 188 (N.D.N.Y., Jan 07,1983) (NO. 82-CV-663)

249. City of Ypsilanti v. Appalachian Ins. Co., 547 F.Supp. 823 (E.D.Mich., Sep 28, 1982) (NO. CIV. 81-6002 1)

250. Municipality of Anchorage v. Hitachi Cable, Ltd., 547 F.Supp. 633, 1982-83 Trade Cases P 65,185 (D.Alaska, Sep 16, 1982) (NO. A 8 1-347 CIV.)

251, Standridge v. City of Seaside, 545 F.Supp. 1195 (N.D.Cal., Aug 26,1982) (NO, C-81-3800 SAW)

252, Nakao v. Rushen, 542 F.Supp. 856 (N.D.Cal., Jul 06. 1982) (NO. C-81-3816 SAW)

253. Hamrick v. Lewis, 539 F.Supp. 1166 (N.D.111., Jun 01, 1982) (NO. 80 C 6040)

254. Kinzli v. City of Santa Cruz, 539 F.Supp. 997 (N.D.Cal., Apr 21, 1982) (NO. C-80-2863 WM)

255. Goldberg v. Village of Spring Valley, 538 F.Supp, 646 (S.D.N.Y., Apr 20, 1982) (NO. 80 CIV. 3658 (DNE))

256. Hodgin v. Roth, 536 F. Supp. 454 (E.D.Pa., Mar 30, 1982) (NO, CIV. 81-227)

257. @ley v. City of North Charleston, 533 F.Supp. 1248 (D.S.C., Mar 11, 1982) (NO. CIV. 81-0240-1)

258. Allentown Racquetball & Health Club, Inc. v. Building & Const. Trades Council of Lehigh and Northampton Counties, 525 F.Supp. 156, 96 Lab.Cas. P 14,131 (E.D.Pa., Sep 30,1981) (NO. CIV. 80-1077)

259. Bernard B. v. Blue Cross and Blue Shield of Greater New York, 528 F.Supp. 125 (S.D.N.Y., Sep 28,1981) (NO. 80 CIV. 5509 (LBS))

260. Blodgett v. Santa Cruz County, 553 F.Supp. 1090 (N.D.Cal., Sep 23, 198 1) (NO. C-90-1077 WHO)

261. Kneeland v. Bloom Tp. High School Dist. No. 206, 519 F.Supp. 990 (N.D.111., Jun 18, 1981) (NO. 79 C 3601)

262. Board of County Com'rs of Larimer County in State of Colo. v. Guarantee Ins. Co., 90 F.R.D. 405 (1).Colo., Jun 03, 1981) (NO. CIV. 80-K-163)

263. CETA Workers' Action Comniittee v. City of New York, 509 F. Supp. 902 (S.D.N.Y., Feb 27,1981) (NO. 76 CIV. 4934-CSH)

264. Woosley v. I-li-Plains Harvestore, Inc., 550 F.Supp. 161 (W.D.Okla., Feb 04,1981) (NO. CIV-80-109-D)

265. Schwabenbauer v. Board of Ed. of City School Dist. of City of Olean, 498 F.Supp. 119, 25 Fair Empl.Prac.Cas. (BNA) 771, 25 Empl. Prac. Dec. P 31,605 (W.D.N.Y., Oct 02, 1980) (NO. CIV-77-588)

266. Stinson v. Sheriffs Dept. of Sullivan County, 499 F.Supp. 259 (S.D.N.Y., Sep 08, 1980) (NO. 79 CIV 1182)

267. Feldman v. City of New York, 493 F.Supp. 537 (S.D.N.Y., Jul 15, 1980) (NO. 80-CIV-616)

268. Lemberos v, Laurel Ricecourse. Inc., 489 F.Supp. 1376 (D.Md., May 22,1980) (NO. CIV. H-79-710)

269. Moorney v. City of Holland. 490 F.Supp. 188 (W.D.Mich., May 05, 1980) (NO. G 77493 CA6)

270. Colemanv,CascyCountyBd.ofEduc.,510F.Supp.3 01, 26 Fair Empi.Prac.Cas. (BNA) 357, 27 Empl. Prac. Dec. P 32,158, 1 A.D. Cases 161 (W.D.Ky., Mar 26,1980) (NO. CIV. 79-0055-BG)

271. Grove City College v. Harris, 500 F.Supp. 253 (W.D.Pa., Mar 10, 1980) (NO. CIV. 78-1293)

272. Smith v. Dallas County Bd. of Ed., 480 F. Supp. 1324 (S.D.Ala., Dec 10, 1979) (NO. CIV. 79-0260-H)

273. Carwile v. Ray, 481 F.Supp. 33 (E.D.Wash., Nov 26, 1979) (NO. C 78-104)

274. Doe v. Koger, 480 F.Supp. 225 (N.D.Ind., Nov 21, 1979) (NO. CIV. S 79-14)

275. Harris v. White, 479 F.Supp. 996, 21 Fair Empl.Prac.Cas. (BNA) 389, 21 Empl. Prac. Dec. P 30,528 (D.Mass., Nov 02, 1979) (NO. CIV. 76-501-N, CIV. 764216-N)

276. Butler v. Best, 478 F.Supp. 377 (E.D.Ark., Oct 03, 1979) (NO. LR-C-78-382)

277. Chenkin v. Bellevue Hospital Center, New York City Health & Hospitals Corp., 479 F. Supp. 207 (S.D.N.Y., Sep 20, 1979) (NO. 79 CIV. 1672)

278. Liberles v. Daniel, 477 F.Supp. 504, 20 Fair Empl.Prac.Cas. (BNA) 1480 (N.D.111., Sep 10, 1979) (NO. 73 C 3217)

279. Zichy v. City of Philadelphia, 476 F. Supp. 708, 36 Fair Empl.Prac.Cas. (BNA) 1637 (E.D.Pa., Aug 01, 1979) (NO. CIV.72-1810)

280. Jordan v. Hawaii Government Emp. Ass'n, Local 152, AFSC@, AFL-CIO, 472 F.Supp. 1123 (D.Hawaii, Jun 21, 1979) (NO. C[V 78-0515)

281. Bane v. City of Columbia, 480 F.Supp. 34 (D.S.C., May 23, 1979) (NO. CIV. 77-2018)

282. Hertel v. City of Pontiac, 470 F.Supp. 603 (E.D.Nfich., May 04, 1979) (NO. CIV. 78-71357)

283. Leigh v. McGuire, 468 F.Supp. 1163 (S.D.N.Y., Apr 06, 1979) (NO. 78 CIV. 2210(RWS))

284. Westfall v. Board of CorWrs of Clayton County, 477 F.Supp. 862 (N.D.Ga., Mar 30,1979) (NO. CIV. C78-1458A)

285. Diebold v. Civil Service Commission of St. Louis County, 81 F.R.D. 631 (E.D.Mo., Feb 06,1979) (NO. 78-1164C(I))

286. Brown v. Debruhl, 468 F.Supp. 513 (D.S.C,, Jan 19, 1979) (NO. CIV@ 78-1946)

287. Local Union No. 35 of fntcm. Broth of Eicc. Workers v. City of Hartford
462 F.Supp, 1271, 18 Fair Empl.Prac.Cas. (BNA) 1338,
19 Empl. Prac. Dec. P 9031, 85 Lab.Cas. P 11,126
(D.Conn., Dec 11, 1978) (NO. CIV. H-77-167)

288. Sanchez v. Marquez, 457 F.Supp. 359 (D.Colo., Sep 20, 1978)
(NO@ CIV. 78-K-304)

289. Hall v. McNamara, 456 F.Supp. 245 (N.D.Cal., Jul 26, 1978)
(NO. C-77-2521-CBR)

290. Williams v. Evangelical Retirement Homes of Greater St. Louis,
454 F.Supp. 806, 19 Fair Empl.Prac.Cas. (BNA) 37
(E.D.Mo., Jul 24,1978) (NO. 78-536 C (1))

291. Gregory v. Mitchell, 459 F.Supp. 1162 (D.Ala., Apr 27, 1978)
(NO. CIV. 78-43-N)

292. Morris v. Stuyvesant Ins. Co., 449 F.Supp. 14 (S.D.N.Y., Mar 27, 1978)
(NO. 77 CIV. 4724 (CI4T))

293. Nan v. Board of Ed. of City School Dist. of New York,
443 F.Supp. 994 (E.D.N.Y., Dec 15, 1977) (NO. 73 C 473)

294. Tanncrv. McCall, 441 F.Supp. 503 (M.D.Fla., Oct 20,1977) (NO. 77-2-CIV-OC)

295. Scott v. Clark, 436 F.Supp. 569 (E.D.Mo., Jun 07, 1977) (NO. 77-445C(3))

296. Blake v. City of Los Angeles, 435 F.Supp. 55, 14 Empl. Prac. Dec. P 7668 (C.D.Cal., May 13, 1977) (NO. CV 73-1962-JWC)

297. Lewis v. Los Angeles City Unified School Dist., 429 F.Supp. 935 (C.D.Cal., Apr 06, 1977) (NO. CV 73-151 1-AAH)

298. Schoone v. Olscn, 427 F.Supp. 724 (E.D.Wis., Feb 11, 1977) (NO. 75-C-742)

299. Loughran v, Codd, 432 F.Supp. 259 (E.D.N.Y., Nov 18, 1976) (NO. 76 C 770)

300. Pinckney v. Northampton County, 433 F.Supp. 373, 15 Fair Empl.Prac.Cas. (BNA) 1446 (E.D.Pa., Oct 12, 1976) (NO. CIV. 75-2770)

301. Ropico, Inc. v. City of New York, 425 F.Supp. 970 (S.D.N.Y., Sep 07, 1976) (NO. 75 CIV 6168, 75 CIV 6246)

302. Johnson v. Simpson, 421 F.Supp. 333 (W.D.Va., Aug 30,1976) (NO. CIV. 76-0038 (L))

303. Tucker v. Thompson, 421 F. Supp. 297 (M.D.Ga., Aug 05, 1976) (NO. 75-1-MAC)

304. Fraternal Order of Police, Lower Merion Police, Lodge 28 v. Lower Merion Tp., 416 F.Supp. 65 (E.D.Pa., Jul 13, 1976) (NO. CIV. 75-603)

305. Smith v. Sinclair, 424 F.Supp. 1108 (W.D.Okla., Jun 25, 1976) (NO. CIV-76-006-D)

306. U. S. Labor Party v. Rochford, 416 F.Supp. 204 (N.D.111., Dec 31, 1975) (NO. 75 C 2620)

307. Carlyle v. Sitterson, 438 F.Supp. 956 (D.N.C., Dec 15, 1975) (NO. 74-0038-CIV4)

308. Dupree v. Village of Hempstead, 401 F.Supp. 1398 (E.D.N.Y., Oct 29, 1975) (NO. 74 C 25 1)

309. Allen v. Lovejoy, 406 F.Supp. 359, 11 Fair Empi.Prac.Cas. (BNA) 725, 10 Empl. Prac. Dec. P 10,548 (W.D.Tcnn., Oct 23, 1975) (NO. CIV. C-75-118)

3 10. Zichy v. City of Philadelphia, 392 F.Supp. 338, 10 Fair Empl.Prac.Cas. (BNA) 853, 27 A.L.R.Fed. 524, 9 Empl. Prac. Dec. P 10,211 (E.D.Pa., Mar 19,1975) (NO. CIV. 72-1810)

3 1 1. Thiess v. State Administrative Bd. of Election Laws, State of Md.,
387 F.Supp. 1038 (D.Md., Dec 26,1974) (NO. CIV. 72-1091-K)

312, Vega v. Civil Service Commission, City of New York, 385 F.Supp. 1376 (S.D.N.Y., Dec 03, 1974) (NO. 74 CIV. 1732)

313. McCormick v. Ross, 377 F.Supp, 1176 (E.D.Mo., Jul 05,1974) (NO. N74-8C)

314. Bay City-Abrahams Bros., Inc. v. Estee Lauder, Inc., 375 F.Supp. 1206, 1974-1 Trade Cases P 75,095 (S.D.N.Y., May 17, 1974) (NO. 73 CIV. 4207(JMC))

315. National Organization for Women-New York Chapter v. Goodman,
374 F.Supp. 247 (S.D.N.Y., Apr 17, 1974) (NO. 73 CIV. 483 1)

316. Tunheim v. Bowman, 366 F.Supp. 1395 (D.Nev., Nov 29,1973) (NO. CIV. LV-2000)

DATE OF REQUEST: 04/24/95 THE CURRENT DATABASE IS FCIV-DCT YOUR TERMS AND CONNECTORS QUERY:

Sy(-SUMMARY JUDGMENT" +5 GRANTED) & TI(COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result Documents: 37 Database: FCIV-DCT

1. Barnard v. Jackson County, Mo., 43 F.3d 12 18, 10 IER Cases 323 (8th Cir.(Mo.), Jan 11, 1995) (NO. 93-3758)

2. Greiner v. City of Champlin, 27 F.3d 1346 (8th Cir.(Minn.), Jul 05, 1994) (NO. 93-2044)

3. Gentile v. Missouri Dept. of Corrections and Human Resources, 986 F.2d 214 (8th Cir.(Mo.), Feb 09,1993) (NO. 92-1777WM)

4. Buckner v. Hoilins, 983 F.2d 119 (8th Cir.(Mo.), Jan 06, 1993) (NO. 92-1739)

5. Stewart v. Donges, 979 F.2d 119 (10th Cir.(N.M.), Nov 06, 992) (NO. 91-2073)

6. Martin v. Harrison County Jail, 975 F.2d 192, 24 Fed.R.Serv.3d 347 (5th Cir.(Miss.), Oct 19,1992) (NO. 91-1831)

7. Gainor v. Rogers, 973 F.2d 1379 (8th Cir.(Minn.), Aug 20, 1992) (NO. 91-1708)

8. Russo v. City of Cincinnati, 953 F.2d 1036 (6th Cir.(Ohio), Jan 15. 1992) (NO. 90-3432, 90-3936)

9. Burgess v. Pierce County, 918 F.2d 104 (9th Cir.(Wash.), Nov 02, 1990) (NO, 88-3994)

10. Laidley v. McClain, 914 F.2d 1386 (10th Cir.(Okl.), Sep 13, 1990) (NO. 89-5016)

11. Good v. Dauphin County Social Services for Children and Youth, 891 F.2d 1087 (3rd Cir.(Pa.), Dec 15, 1989) (NO. 88-5792)

12. Manhattan Beach Police Officers Ass'n, Inc. v. City of Manhattan Beach 881 F.2d 816 (9th Cir. (Cal.), Aug 08, 1989) (NO. 88-5671)

13. Emmons v. McLaughlin, 874 F.2d 351 (6th Cir.(Ohio), May 11, 1989) (NO. 88-3437)

14. Mitchell v. Aluisi, 872 F.2d 577 (4th Cir.(Md.), Apr 21, 1989) (NO. 87-7775)

15 Duncan v. Storie, 869 F,2d 1100 (8th Cir.(Neb.), Mar 13, 1989) (NO. 87-2369)

16. Watson v. City of Kansas City, Kan., 857 F.2d 690, 57 USLW 2183 (10th Cir.(Kan.), Sep 14, 1988) (NO. 86-2501)

17. Brawner v. City of Richardson, Tex., 855 F.2d 187, 3 IER Cases 1376 (5th Cir.(Tex.), Aug 18,1988) (NO. 87-1653)

18. Cooper v. Petray, 854 F.2d 301, 109 Lab.Cas. P 55,931 (8th Cir.(Ark.), Aug 16, 1988) (NO. 88-1344)

19. Herren v. Bowyer, 850 F.2d 1543 (11th Cir.(Ga.), Aug 03, 1988) (NO. 87-8781)

20. Boswell v. Sherburne County, 849 F.2d 1117 (8th Cir.Minn.), Jun 21, 1988) (NO. 87-5187)

21. Wrigley v. Greanias, 842 F.2d 955 (7th Cir.(Ill.), Mar 22, 1988) (NO. 87-1623)

22. Wright v. Holbrook, 794 F.2d 1152, 1 IER Cases 1157 (6th Cir.(Ky.), Jul 11, 1986) (NO. 84-6104)

23. Partridge v. Two Unknown Police Officers of City of Houston, Tex., 791 F.2d 1182 (5th Cir.(Tex.), Jun 13, 1986) (NO. 83-2615)

24. Thomas v. Harris County, 784 F,2d 648 (5th Cir.(Tex.), Mar 10, 1986) (NO. 84-2567)

25. Lowe v. City of Monrovia, 775 F.2d 998, 39 Fair Empl.Prac.Cas. (BNA) 350, 41 Fair Empi.Prac.Cas. (BNA) 931, 38 Empl. Prac. Dec. P 35,647 (9th Cir.(Cal.), Oct 30, 1985) (NO. 84-5960)

26. McSurely v. McClellan, 753 F.2d 88, 243 U.S.App,D.C. 270, 1 Fed.R.Serv.3d 102 (D.C.Cir., Jan 18, 1985) (NO. 83-1444)

27. Zanghi v. Incorporated Village of Old Brookville, 752 F.2d 42 (2nd Cir,(N.Y.), Jan 04, 1985) (NO. 84-7488, 356)

28. Conway v. Village of Mount Kisco, N.Y., 750 F.2d 205, 40 Fed.R.Serv.2d 1174 (2nd Cir.(N.Y,), Dec 11, 1984) (NO. 91, 83-7318)

29. Zook v. Brown, 748 F.2d 1161 (7th Cir.(Ill.), Nov 14,1984) (NO. 83-2908)

30. McKenzie v. Lamb, 738 F.2d 1005 (9th Cir.(Nev.), Jul 24, 1984) (NO. 82-5499)

31. Conley v. Board of Trustees of Grenada County Hosp., 707 F.2d 175, 115 L.P.R.M. (BNA) 4260 (5th Cir.(Miss.), Jun 13, 1983) (NO. 82-4018)

32. McSurely v. McClellan, 697 F.2d 309, 67 A.L.R.Fed. 614, 225 U.S.App.D.C. 67 (D.C.Cir.,,Dec 10, 1982) (NO. 82-2369)

33. Bronze Shields, Inc. v. New Jersey Dept. of Civil Service, 667 F.2d 1074, 27 Fair Empl.Prac.Cas. (BNA) 749, 27 Empl. Prac. Dec. P 32,287 (3rd Cir,(N.J.), Dec 01, 1981) (NO. 80-2003, 81-1133)

34. McMillian v. City of Rockmart, 653 F.2d 907 (5th Cir. (Ga.), Aug 06, 1981) (NO. 81-7054)

35. U. S. v. School Dist. of Ferndale, Mich 577 F.2d 1339, 47 A.L.R.Fed. 294, 3 Fed. R. Evid. Serv. 225 (6th Cir.(Mich.), May 17, 1978) (No. 76-1110, 77-1426)

36, Pierson v. Grant, 527 F.2d 161 (8th Cir.(Iowa), Dec 22, 1975) (NO. 75-1171)

37. Khan v. Garanzini, 411 F.2d 210 (6th Cir.(Mich.), (NO. 18750) May 28, 1969)

END OF CITA77ONS LIST

DATE OF REQUEST: 04/24/95
THE CURRENT DATABASE IS FCIV-DCT
YOUR TERMS AND CONNECTORS QUERY:

SY("SUMMARY JUDGMENT" +5 DENIED) & TI(COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result Documents: 165
Database: FCIV-DCT

1. Parish v. Pahs, 872 F.Supp. 562 (N.D.Ind., Jan 04, 1995) (NO. 3:93CV26 AS)

2. Starbeck v. Linn County Jail, 871 F.Supp. 1129 (N.D.Iowa, Dec 12, 1994) (NO. C91-0091)

3. Carnell v. Grimm, 872 F.Supp. 746 (D.Hawaii, Dec 06, 1994) (NO. CIV. 93-00385DAE)

4. Tenenbaum on Behalf of Tenenbaum v. Williams, 862 F.Supp. 962, 94 Ed. Law Rep. 1186 (E.D.N.Y., Sep 30,1994) (NO. 91-CV-0037 (DRH))

5. NAACP, Jefferson County Branch v. U.S. Secretary of Labor, 865 F.Supp. 903 (D.D.C., Sep 22, 1994) (NO. CIV. 82-2315 (CRR))

6. Johnson v. Board of County Com'rs for County of Fremont, 859 F.Supp. 438, 65 Fair Empl.Prac.Cas. (BNA) 1073 (D.Colo., Jul 29,1994) (NO. CIV. A. 93-K-2465)

7. Dutton v. Johnson County Bd. of County Com'rs, 859 F.Supp. 498, 3 A.D. Cases 808, 6 A.D.D. 151, 5 NDLR P 298 (D.Kan., Jul 20, 1994) (NO. CIV.A. 93-2184-GTV)

8. Sunn v. City & County of Honolulu, 852 F.Supp. 903 (D.Hawaii, May 19,1994) (NO. CIV. 93-00012 HNE)

9. Ruff v. City of Leavenworth, Kan., 854 F.Supp. 774 (D.Kan., May 19,1994) (NO. 93-2243-JWL)

10. Bass v. City of Wilson, 155 F.R.D. 130 (E.D.N.C., May 10, 1994) (NO, 93-326-CIV-5-DE)

11. Williams v. City of Detroit, 843 F.Supp. 1183 (E.D.Mich., Feb (6,1994) (NO. CIV.A. 92-76024)

12. Whitfield v. Board of County Com'rs of Eagle County, Colo., 837 F.Supp. 338 (D.Colo., Nov 09, 1993) (NO. 90-C-1541)

13. Ball v. City of Cheyenne, Wyo., 845 F.Supp. 803, 64 Fair Empl.Prac.Cas. (BNA) 286 (D.Wyo., Oct 29, 1993) (NO. 93-CV-0060-J)

14. McDonald v. City of Freeport, Tex., 834 F.Supp. 921, 8 IER Cases 1634 (S.D.Tex., Oct 05, 1993) (NO. CIV, A. G-92-334, CIV. A. G-92-335)

15. Gibson v. City of Clarksville, Tenn., 860 F.Supp. 450 (M.D.Tenn., Oct 04,1993) (NO. 3:92-0051)

16. Cox v. County of Suffolk, 827 F.Supp. 935 (E.D.N.Y., Jul 29. 1993) (NO. CV 91-0801)

17. Graham v. City of Chicigo, 828 F. Supp. 576 (N.D.111., Jul 21, 1993) (NO. 92 C 3364)

18. Schwartz v. County of Montgomery, 823 F.Supp. 296 (E.D.Pa,, Jun 04, 1993) (NO. CIV. A. 92-CV-1552)

19. Rubeck v. Sheriff of Wabash County, 824 F.Supp. 1291 (N.D.Ind., May 27,1993) (NO, 3:92CV290AS)

20. Deblasio v. Zoning Bd. of Adjustment for Tp. of West Amwell, 820 F.Supp. 876 (D.N.J., May 06, 1993) (NO. CIV 92-926 (CSF))

21. Barcume v. City of Flint, 819 F.Supp. 631, 62 Empl, Prac. Dec. P 42,544 (E.D.Mich., Apr 08,1993) (NO. CIV. A. 84-CV-8066FL)

22. Snair v. City of Clearwater, 817 F.Supp. 108 (M.D.Fla., Mar 29, 1993) (NO. 88-889-CIV-T-17B)

23. Adamson v. City of Provo, Utah, 819 F.Supp, 934 (D.Utah, Mar 22, 1993) (NO. 91-C-546A)

24. Turner v. City of Beaumont, 835 F.Supp, 916 (E.D.Tex., Mar 11, 1993) (NO. CIV A 1:92-CV-60)

25. Medical Center-West, Inc. v. Cluett, Peabody & Co., Inc., 814 F.Supp. 1109 (N.D.Ga., Feb 17, 1993) (NO. CIV. 1:91-CV-2165-JEC)

26. West Virginia Pride, Inc. v. Wood County, W. Va., 811 F. Supp. 1142 (S.D.W.Va., Jan 14,1993) (NO. CIV. A. 6:92-803)

27. Datz v. Hutson, 806 F.Supp. 982 (N.D.Ga., Sep 24, 1992) (NO. CIV. 1:90-CV-1179JEC)

28. Emory v. Logan, 801 F.Supp. 899 (D.Mass., Sep 18, 1992) (NO. CIV A 90-1208 1 - Z)

29. Ross v. Unified School Dist. No. 23 1, Johnson County, Kan., 807 F.Supp. 678, 59 Fair Empl.Prac.Cas. (BNA) 1399, 59 Empl. Prac. Dec. P 41,794, 79 Ed. Law Rep. 859 (D.Kan., Sep 03,1992) (NO. CIV. A. 91-2302-V)

30. Hunt Paving Co., Inc. v. City of Indianapolis, 800 F. Supp. 740 (S.D.Ind., Aug 19, 1992) (NO. IP 90-1578-C)

31. Gonzales v. North Tp. of Lake County, 800 F.Supp. 676 (D.Ind., Jul 28,1992) (NO. CIV. H83-402)

32. Harris v. Board of Educ. of Columbus, Ohio, City School Dist., 798 F.Supp. 1331, 77

Ed. Law Rep. 800 (S.D.Ohio, Jun 26, 1992) (NO. CIV. A. C-2-86-909)

33. Meek v. Metropolitan Dade County, Fla., 805 F.Supp. 958 (S.D.Fla., May 26,1992) (NO. 86-1820-CIV-GRAHAM)

34. Oberti by Oberti v. Board of Educ. of Borough of Clementon School Dist. 789 F.Supp. 1322, 75 Ed. Law Rep. 258 (D.N.J., Apr 24, 1992) (NO. CIV. A. 91-2818)

35. Nichols v. City of Chicago, 789 F.Supp. 1438, 30 Wage & Hour Cas. (BNA) 1444, 121 Lab.Cas. P 35,643 (N.D.111., Apr 21, 1992) (NO. 89 C 3526)

36. E.E.O.C. v. Com. of Mass., 788 F.Supp. 106, 60 USLW 2672, 58 Fair Empl.Prac.Cas. (BNA) 913, 59 Empl. Prac. Dec. P 41,692, 15 Employee Benefits Cas. 1354 (D.Mass., Apr 17, 1992) (NO. CIV. A. 89-1959-H)

37. Bailey v. Kenney, 791 F.Supp. 1511 (D.Kan., Apr 16, 1992) (NO. CIV. A. 90-1257-B)

38. Shamblin v. City of Colchester, 793 F.Supp. 834, 123 Lab.Cas. P 35,720 (C.D.111., Apr 16, 1992) (NO. 91-1078)

39. Tanberg v. Weld County Sheriff, 787 F.Supp. 970, 60 USLW 259 1, 59 Fair Empl.Prac.Cas. (BNA) 220, 59 Empl. Prac. Dec. P 41,687, 2 A.D. Cases 148, 2 NDLR P 327 (D.Colo., Mar 18, 1992) (NO. CIV.A. 91-B-248)

40. Loper v. New York City Police Dept., 785 F.Supp. 464 (S.D.N.Y., Mar 09,1992) (NO. 90 CIV, 7546 (RWS))

41. Truslow v. Spotsylvania County Sheriff, 783 F.Supp. 274, 30 Wage & Hour Cas. (BNA) 1259,121 Lab.Cas. P 35,627 (E.D.Va., Feb 18, 1992) (NO. CIV. 91-1083-A)

42. Ulmer v. City of Overland Park, Kan., 784 F.Supp. 807 (D.Kan., Feb 04,1992) (NO. CIV. A. 90-2179-V)

43. Cheatwood v. City of Oxford, 785 F.Supp. 926 (N.D.Ala., Feb 04, 1992) (NO. CV-91-Plr-2168-E)

44. Moche v. City University of New York, 781 F. Supp. 160, 62 Fair Empl.Prac.Cas. (BNA) 1163, 72 Ed. Law Rep. 562 (E.D.N.Y., Jan 02,1992) (NO. 91-CV-1312 (JRB))

45. Breads v. Moehrle, 781 F.Supp. 953 (W.D.N.Y., Dec 10, 1991) (NO. CIV. 89-1020L)

46. Fry v. Board of County Com'rs of County of Baca, 837 F.Supp. 330 (D.Colo., Nov 06,1991) (NO. CIV. A. 88-F-1788)

47. Meek v. Metropolitan Dade County, Fla., 769 F.Supp. 1220 (S.D.Fla., Jul 30,1991) (NO, 86-1820-CIV)

48. Carrillo v. Ward, 770 F.Supp. 815, 56 Fair Empl.Prac.Cas. (BNA) 1558 (S.D.N.Y., Jun 04, 1991) (NO. 87 CIV. 7832 (WK))

49. Thompson v. City of Clio, 765 F.Supp. 1066 (M.D.Ala., May 02, 1991) (NO. CIV A 90-T-908-N)

50. Smith v. Turner, 764 F.Supp. 632 (N.D.Ga., Mar 25, 199 1) (NO. CIVAI:89-CV-0907-JOF)

51. Jansen v. City of Cincinnati. 758 F.Supp.451, 64 Fair Empl.Prac.Cas. (BNA) 1652, 60 Empl. Pmc. Dec. P 41,974 (S.D.Ohio, Mar 18, 199 1) (NO. CIV. C- 1-89-079, CIV. C-1 -89-479, CIV. C-1-90-151)

52. Halasi-Schmick v. City of Shawnee, Kan., 759 F. Supp. 747, 59 Fair Empl.Prac.Cas. (BNA) 1455, 57 Empl. Prac. Dec, P 41,022 (D.Kan., Mar 14, 1991) (NO. CIV.A. 90-4045-S)

53. Watson v. Sexton, 755 F.Supp. 583 (S.D.N.Y., Jan 15, 1991) (NO. 89 CIV. 0225 (NOM))

54. Naugle v. Witney, 755 F. Supp. 1504 (D.Utah, Dec 31, 1990) (NO. CIV. 89-C-372W)

55. Hubbard v. City of Middletown, 782 F. Supp. 1573, 59 Empl. Prac. Dec. P 41,688 (S.D.Ohio, Dec 05, 1990) (NO. C-1-88-0229)

56. Bumette v. Ciolino, 750 F.Supp. 1559 (M.D.Fla., Nov 19, 1990) (NO. 88-114-CIV-FTM-17(B))

57. U.S. v. Blake, 751 F.Supp. 951 (W.D.Okia., Nov 08,1990) (NO. CIV-90-1064-W)

58. Liggins v. Morris, 749 F.Supp. 967 (D.Minn., Oct 26, 1990) (NO. 3-89 CIV 52)

59. Blum v. Waukesha County, 749 F.Supp. 202 (E.D.Wis., Oct 25, 1990) (NO. CIV. A. 89-C-1418)

60. Walton v. City of Southfield, 748 F.Supp. 1214 (E.D.Mich., Oct 16, 1990) (NO. 90-CV-70953)

61. Stokes v. City of Chicago, 744 F.Supp. 183 (N.D.111., Aug 24,1990) (NO. 86 C 4759)

62. Soles v. Board of Con'rs of Johnson County, Ga., 746 F. Supp. 106, 29 Wage & Hour Cas. (BNA) 1623, 117 Lab.Cas. P 35,426 (S.D.Ga., Aug 21, 1990) (NO. CIV A CV389-007)

63. C-1 by P-1 v. City of Horn Lake, Miss., 775 F.Supp. 940, 70 Ed. Law Rep. 1086 (N.D.Miss., Jun 15, 1990) (NO. CIV. A. DC88-116-D-0)

64. Konrath v. Williquette, 732 F.Supp. 973 (W.D.Wis., Mar 20, 1990) (NO. 89-C-752-S)

65. Hynson v. City of Chester, 731 F.Supp. 1236 (E.D.Pa., Mar 08, 1990) (NO. CIV.A.86-2913)

66. Carr v. Town of Dewey Beach, 730 F.Supp. 591 (D.Del., Feb 02, 1990) (NO. CIV.A. 87-632 MMS)

67. Spera v. Lee, 728 F.Supp. 366 (E.D.Pa., Jan 23, 1990) (NO. CIV. A, 89-2281)

68. Santiago v. Daley, 726 F.Supp. 198 (N.D.Ill., Nov 01, 1989) (NO. 88 C 2320)

69. Lowe v. City of Macon, Ga., 720 F.Supp. 994 (M.D.Ga., Sep 20, 1989) (NO. CIV A 8522-IMAC(WDO))

70. Unger v. Cohen, 718 F. Supp. 185 (S.D.N.Y., Jul 27, 1989) (NO. 86 CIV 5048 (SWK))

71. Turley By and Through Turley v. School Dist. of Kansas City, Mo., 713 F.Supp. 331, 54 Ed. Law Rep. 224 (W.D.Mo., May 03, 1989) (NO, 87-1029-CV-W-8)

72. Bendiburg v. Dempsey, 707 F.Supp. 1318 (N.D.Ga., Jan 05, 1989) (NO. CIV A 1:87-CV1774JOF)

73. Haehn v. City of Hoisington, 702 F.Supp. 1526, 56 Fair Empl.Prac. Cas. (BNA) 98, 60 Empl. Prac. Dec. P 41,979 (D.Kan., Dec 01, 1988) (NO. 86-1280-C)

74. Kronmuller v. West End Fire Co. No. 3 Fire Dept. of Borough of Phoenixville, 123 F.R.D. 170 (E.D.Pa., Nov 18, 1988) (NO. CIV. A. 85-2923)

75, Nixon v. City of Junction City, Kan., 707 F.Supp. 473, 111 Lab.Cas. P 35,211 (D.Kan., Sep 27,1988) (NO. CIV. A. 87-2321-0)

76. Moore v. Tri-City Hosp. Authority, 696 F. Supp. 1496 (N.D.Ga., Jun 27, 1988) (NO. 1:86-CV-2550-RHH

77. Jane Doe A v. Special School Dist. of St. Louis County, 692 F. Supp. 45 1, 46 Ed Law Rep. 238 (E.D.Mo., Mar 25,1988) (NO. 85-280IC(I), 87-16SIC(I), 87-1682C(I), 87-1683C(I), 87-1684C(I), 87-1686C(I), 87-1687C(I), 87-1688C(I), 87-1689C(I))

78. Taylor v. Kveton, 684 F.Supp. 179 (N.D.Ill., Mar 18, 1988) (NO. 86 C 7444)

79. Bee v. DeKalb County, 679 F.Supp. 1107 (N.D.Ga., Feb 23, 1988) (NO. 1:87-CV-356-RM

80. Craig v. Ewing Township, 678 F.Supp. 1106 (D.N.J., Feb 16, 1988) (NO. CIV. 87-2790 (AE7))

81. Clouser v. City of Thornton, 676 F.Supp. 228, 45 Fair Empi.Prac.Cas. (BNA) 1063 (D.Colo., Dec 31, 1987) (NO. CIV.A. 87-C-837)

82. Riddle By and Through Brewster v. Innskeep, 675 F.Supp. I 1 53 (N,D.Ind., Dec 23, 1987) (NO. CIV. F 86-130)

83. Kirk v. Smith, 674 F. Supp. 803, 43 Ed. Law Rep. 689 (D.Colo., Dec 02, 1987) (NO. CIV. A. 85-C-208 1)

84. Kness v. City of Kenosha, Wis., 669 F.Supp. 1484 (E.D. Wis., Sep 25, 1987) (NO. 85-C-635, 85-C-669, 85-C-670, 85-C-67 1)

85. Edwards v. Shelley, 669 F.Supp. 897 (N.D.Ill., Sep 24, 1987) (NO. 86 C 4638)

86. Carr v. City of Chicago, 669 F.Supp. 1418 (N,D.Ill., Sep 14, 1987) (NO. 85 C 76 10)

87. Werry v. Horton, 666 F. Supp. 744 (W. D. Pa., Aug 06, 1987) (NO, CIV.A. 84-2770)

88. Beddingfield v. City of Pulaski, Tenn., 666 F. Supp. 1064 (M.D.Tenn., Jul 17, 1987) (NO. 1 -85-0091)

89. Romano v. Harrington, 664 F.Supp. 675, 41 Ed. Law Rep. 125 (E.D.N.Y., Jul 07,1987) (NO. CV 85-2608 (RID))

90. Lewis v. Tully, 660 F.Supp. 293 (N.D.Ill., May 13, 1987) (NO. 81 C 3833)

91. McGaughey v. City of Chicago, 664 F.Supp. 1131 (N.D.Ill., Mar 18, 1987) (NO. 84 C 10546)

92. Pendleton Const. Corp. v. Rockbridge County, Va., 652 F.Supp. 312, 55 USLW 2437, 1987-1 Trade Cases P 67,478 (W.D.Va., Jan 06, 1987) (NO. CIV. A. 84-0157-L)

93. Balzano v. North Bergen Tp., 649 F.Supp. 807 (D.N.J., Dec 23, 1986) (NO. CIV. A. 86-1284)

94. Lombard v. Board of Educ. of City of New York, 645 F. Supp, 1574, 35 Ed. Law Rep. 705 (E.D.N.Y., Oct 29,1986) (NO. 85 CV 2709 ERK)

95. Crot v. Byrne, 646 F.Supp. 1245 (N.D.Ill., Sep 29, 1986) (NO. 83 C 7230)

96. DiFranco v. City of Chicago, 642 F. Supp. 243 (N.D.Ill., Jul 22, 1986) (NO. 85 C 9349)

97. Easterling v. City of Glennville, 694 F.Supp. 911 (S.D.Ga., Jul 11, 1986) (NO. CV485-483)

98. Johnson v. Mayor and City Council of Baltimore, 637 F.Supp. 903, 55 USLW 2038, 41 Fair Empl.Prac.Cas. (BNA) 17, 40 Empl. Prac. Dec P 36,365, 41 Empl. Prac. Dec. P 36,557, 7 Employee Benefits Cas. 1830 (1).Md., Jun 17, 1986) (NO. CIV. H-81-3253)

99. Esquivcl v. Village of McCullom Lake, 633 F.Supp. 1199 (N.D.Ill., Apr 28, 1986) (NO. 85 C 20164)

100. Betts v. Hamilton County Bd. of Mental Retardation, 631 F.Supp. 1198, 40 Fair Empl.Prac.Cas. (BNA) 1692, 41 Empl. Prac. Dec. P 36,431 (S.D.Ohio, Mar 27,1986) (NO. C-1-85-1108)

101. Lipsey v. Chicago Cook County Criminal Justice Com'n, 629 F.Supp. 955 (N,D.Ill., Feb 13, 1986) (NO. 81 C 2232)

102. Morciglio v. New York City Fire Dept., 628 F.Supp. 134 (E.D.N.Y., Feb 11, 1986) (NO, 83 CV 3762)

103. Bowman v. Casler, 622 F.Supp. 836 (N.D.N.Y., Nov 22, 1985) (NO. 83-CV-1 140)

104. Navajo Nation v. District Court for Utah County, Fourth Judicial Dist., State of Utah, 624 F.Supp. 130 (D.Utah, Sep 30, 1985) (NO. CIV. C85-317G)

105. Hudson v. Burke, 617 F.Supp. 1501 (N.D.Ill,, Sep 24, 1985) (NO. 83 C 5785)

106. Anderson v. City of New York. 611 F.Supp. 481 (S.D,N.Y., Mav 21, 1995) (NO. 82 CIV. 5609 (CES))

107. Armster v. City of Riverside, 611 F.Supp. 103 (C.D.Cal., May 01, 1985) (NO. CV 83-7646 RG(MCX))

108. Kuhns v. City of Commerce City, Colo., 621 F.Supp. 41 (D.Colo., Apr 22, 1985) (NO. CIV.A. 84-K-1317)

109. Sellers v. Local 1598, Dist. Council 88, American Federation of State, County and Mun. Employees, AFL-CIO, 600 F.Supp. 1205 (E.D.Pa., Dec 14,1984) (NO. CIV. A. 84-2373)

110. Pension Ben. Guar. Corp. v. Center City Motors, Inc., 609 F.Supp, 409, 6 Employee Benefits Cas. 2058 (S.D.Cal., Nov 05, 1984) (NO. CIV. 82-0774-JLI(M)

111. In re Greenwald, 48 B.R- 263, 9 Soc.Sec.Rep.Ser. 904, Medicare & Medicaid Guide P 34,206 (S.D,N.Y., Oct 29,1984) (NO. 84 CIV, 0083 (RLC))

112. Haskell v. Phinney, 595 F.Supp. 637 (D.Me., Sep 28, l984) (NO. CIV. 83-0225 P)

113. Hamer v. Anderson, 594 F.Supp, 561 (N.D.Ill., Sep 27, 1984) (NO. 79 C 3627)

114. Vari-Build, Inc. v. City of Reno, 596 F.Supp. 673 (D.Nev., Sep 18, 1984) (NO. CV-R-83-250-ECR)

115. Wilkinson v. Forst, 591 F.Supp. 403 (D.Conn., Jul 11, 1984) (NO. CIV. H 80-755)

116. Sewell v. Dever, 581 F.Supp. 556 (W.D.Pa., Mar 01, 1984) (NO. CIV. 83-0060 ERIE)

117. Coffey v. Quinn, 578 F.Supp. 1464 (N.D.Ill,, Nov 14,1983) (NO. 81 C 4616)

118. Shorez v. City of Dacono, Colo., 574 F. Supp. 130, 14 Ed. Law Rep. 713 (D.Colo., Nov 09,1983) (NO. CIV. 82-JM-1327)

119. Walter v. Botti, 570 F.Supp. 542 (D.N.J., Aug 30, 1983) (NO, CIV. 83-730)

120. Gannon v. Daley, 561 F. Supp. 1377, 13 Fed. R. Evid. Serv, 573 (N.D.Ill., Apr 27, 1983) (NO. 8 I C 1512)

121. Bronson v. Board of Educ. of City School Dist. of City of Cincinnati, 573 F.Supp. 759, 14 Ed. Law Rep. 642 (S.D.Ohio, Mar 14, 1983) (NO. C-1-74-205)

122. Laborers Local 91, Laborers Intern. Union of North America, AFL-CIO v. Building Industry Employers Ass'n of Niagara County, N.Y., Inc., 557 F.Supp. 1213, 98 Lab.Cas. P 10,305 (W.D.N.Y., Feb 23, 1983) (NO. CIV-80-654E)

123. Municipality of Anchorage v. Hitachi Cable, Ltd., 547 F.Supp. 633, 1982-83 Trade Cases P 65,185 (D.Alaska, Sep 16. 1982) (NO. A 81-347 CIV.)

124. Hamrick v. Lewis, 539 F.Supp. 1166 (N.D.Ill., Jun 01, 1982) (NO. 80 C 6040)

125. Kinzli v. City of Santa Cruz, 539 F.Supp. 887 (N.D.Cal., Apr 21, 1982) (NO. C-80-2863 NW)

126. Justice v. Fabey, 541 F.Supp. 1019, 34 UCC Rep.Serv. 515 (E.D.Pa., Apr 13, 1982) (NO. CIV. 81-4768)

127. Colon v. City of New York, 535 F.Supp. 1108, 36 Fair Empl.Prac.Cas. (BNA) 372 (S.D.N.Y., Mar 24, 1982) (NO. 80 CIV. 1580 (PNL), 81 CIV. 4979 (PNL), 81 CIV. 7023 (PNL), 81 CIV. 7526 (PNL))

128. Baxley v. City of North Charleston, 533 F.Supp. 1248 (D.S.C., Mar 11, 1982) (NO. CIV. 81-0240-1)

129. Mann v. Board of Ed. School Dist. No. 149 Cook County, 514 F.Supp. 1388, 27 Fair Empi.Prac.Cas. (BNA) 604, 28 Empl. Prac. Dec. P 32,424 (N.D.111., Jun 11, 1981) (NO. 80 C 4277)

130. Biancone v. Kramer, 513 F.Supp. 908 (E.D.Pa., May 04, 1981) (NO. CIV. 80-4052)

131. CETA Workers' Action Committee v. City of New York, 509 F.Supp. 902 (S.D.N.Y., Feb 27,1981) (NO. 76 CIV. 4934-CSH)

132. Stinson v. Sheriff s Dept. of Sullivan County, 499 F.Supp. 259 (S.D.N.Y., Sep 08, 1980) (NO. 79 CIV 1182)

133. Savina v. Gebhart, 497 F.Supp. 65 (D.Md., Feb 26,1980) (NO. CIV. JH-79-656)

134. Doe v. Koger, 480 F.Supp@ 225 (N.D.Ind., Nov 21, 1979) (NO. CIV. S 79-14)

135. Liberles v. Daniel, 477 F.Supp. 504, 20 Fair Empt.Prac.Cas. (BNA) 1480 (N.D.Ill., Sep 10, 1979) (NO. 73 C 3217)

136. Prochaska v. Fediaczko, 473 F.Supp. 704 (W.D.Pa., Jul 12, 1979) (NO. CIV. 77-201)

137. U. S. v. City of Parma, Ohio, 471 F.Supp. 453 (N.D.Ohio, Jun 13, 1979) (NO. C73-439)

138. Westfall v. Board of Com'rs of Clayton County, 477 F.Supp. 862 (N.D.Ga., Mar 30, 1979) (NO. CIV. C78-1458A)

139. Williams v, DeKalb County, 82 F.R.D. 10, 19 Fair Empl.Prac.Cas. (BNA) 826, 20 Empl. Prac. Dec. P 30,094 (N.D.Ga., Jan 23, 1979) (NO. CIV. 17522)

140. White v. City of Suffolk, 460 F.Supp. 516, 18 Fair Empl.Prac.Cas. (BNA) 605 (E.D.Va., Oct 17, 1978) (NO. CIV. A. 78-133-N, CIV. A. 78-144-N, CIV. A. 78-147-N, CIV. A. 78-142-N, CIV. A. 78-145-N, CIV. A. 78-143-N, CIV. A. 78-146-N)

141. Gregory v. Mitchell, 459 F.Supp. 1162 (D.Ala., Apr 27, 1978) (NO. CIV. 7843-N)

142. Doi v. Bell, 449 F.Supp. 267 (D.Hawaii, Mar 28, 1978) (NO. CIV. 77-0256)

143. Riley v. City of Minneapolis, 436 F.Supp. 954 (D.Minn., Sep 19, 1977) (NO. 4-77-CIV-165)

144. Kelly v. Board of Ed. of Central School Dist. No. 1, Towns of Niagara, Wheatfield, Lewiston and Cambria, Niagara County, 435 F.Supp. 904 (W.D.N.Y., Aug 19,1977) (NO. CIV. 74491)

145. Pinckney v. Northampton County, 433 F.Supp. 373, 15 Fair Empi.Prac.Cas. (BNA) 1446 (E.D.Pa., Oct 12, 1976) (NO. CIV. 75-2770)

146. Cofrancesco v. City of Wilmington, 419 F.Supp. 109, 93 L.R.R.M. (BNA) 2387, 80 Lab.Cas. P 53,893 (D.Del., Sep 13, 1976) (NO. CIV 75-117)

147. Usery v. Board of Educ. of Salt Lake City, 421 F. Supp. 718, 13 Fair Empl.Prac.Cas. (BNA) 717,12 Empl. Prac. Dec. P 11,184 (D.Utah, Sep 01, 1976) (NO. C 75-5 10)

148. Tucker v. Thompson, 421 F.Supp. 297 (M.D.Ga., Aug 05, 1976) (NO. 75-1-MAC)

149. Johnson v. Durante, 387 F.Supp. 149 (E.D.N.Y., Jan 02, 1975) (NO. 73 C 1159)

150. Vega v. Civil Service Commission, City of New York, 385 F.Supp. 1376 (S.D.N.Y., Dec 03, 1974) (NO. 74 CIV. 1732)

151. Mendez v. Heller, 380 F.Supp, 985 (E.D.N.Y.,Aug O8, 1974) (NO. 74 C 440)

152. Flores v. Kelley, 61 F.R.D. 442 (N.D.Ind., Nov 30, 1973) (NO. 71 H 269)

153. Pirincin v. Board of Elections of Cuyahoga County, 368 F.Supp. 64 (N.D.Ohio, May 29,1973) (NO. CIV. A. C 72-526)

154. Misurelli v. City of Racine, 346 F.Supp. 43 (E.D.Wis., Aug 02, 1972) (NO. CIV,

A. 71-C-316, CIV. A. 71-C-317, CIV. A. 71-C-335)

155. Bradley v. School Bd. of City of Richmond, Va., 324 F.Supp, 401 (E.D.Va., Feb 10, 197 1) (NO. CIV. 3353)

156. Fidtler v. Hendricks, 317 F.Supp, 738 (E.D.Pa., Sep 04, 1970) (NO. CIV. 68-1641)

157. Local 858 of Am. Federation of Teachers v. School Dist. No. I in Denver County, State of Colo., 314 F.Supp. 1069, 74 L.R.R.M. (BNA) 2385, 63 Lab.Cas. P 11,050 (D.Colo., Jun 03, 1970) (NO. CIV. C- 1393)

158. Valley v. Maule, 297 F. Supp. 958 (D.Conn., Dec 26, 1968) (NO. CIV, 12554, CIV, 12556)

159. Kissinger v. New York City Transit Authority, 274 F.Supp. 438 (S.D.N.Y., Sep 12, 1967) (NO. 66 CIV. 836)

160. Jones v. Middlesex County Bd. of Elections, 258 F.Supp. 469 (D.N.J., Sep 02, 1966) (NO. CIV. 366-66)

161. U. S. ex rel. Houghton v. Scranton, 257 F. Supp. 557 (E.D.Pa., Aug 02,1966) (NO. CIV. 39701, CIV. 39916)

162. Anderson v. Moses, 185 F.Supp. 727 (S.D.N.Y., Jul 20, 1960)

163. O'Connor v. City of Minneapolis, 182 F.Supp. 494 (D.Minn., Apr 01, 1960) (NO. 4-59 CIV. 173)

164. McSwain v. County Bd. of Ed. of Anderson County, Tenn., 138 F.Supp. 570 (E.D.Tenn., Jan 04, 1956) (NO, CIV. 1555)

165. State of Ark. for Use and Benefit of Temple v. Central Sur. & Ins. Corp. of Kansas City, Mo., 102 F.Supp, 444 (W.D.Ark., Jan 31, 1952) (NO. CIV. 541)

END OF CITATIONS LIST

DATE OF REQUEST: 04/24/95
THE CURRENT DATABASE IS FCIV-CTA
YOUR TERMS AND CONNECTORS QUERY:

SY("SUMMARY JUDGMENT"/5 REVERSE!) & TI(COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result
Documents: 53
Database: FCIV-CTA

1. Barnard v. Jackson County, Mo., 43 F.3d 1218, 10 IER Cases 323 (8th Cir.(Mo.), Jan 11, 1995) (NO. 93-3758)

2. Concrete Works of Colorado, Inc. v. City and County of Denver, 36 F.3d 1513 (10th Cir.(Colo.), Sep 23, 1994) (NO. 93-1095)

3. Montgomery v. Brookshire, 34 F.3d 291, 65 Fair Empl.Pric.Cas. (BNA) 1866 (5th Cir.(Tex.), Sep 23, 1994) (NO. 93-8034)

4. Regalado By and Through Regalado v. City of Commerce City, Colo., 20 F.3d 1104 (10th Cir.(Colo.), Apr 06, 1994) (NO. 92-1260)

5. Tittle v. Jefferson County Com'n, 10 F.3d 1535, 62 USLW 2484 (IIth Cir.(Ala.), Jan 06, 1994) (NO. 91-7054)

6. Lee v. Etowah County Bd. of Educ., 963 F.2d 1416, 22 Fed.R.Scrv.3d 1227, 75 Ed. Law Rep. 195 (IIth Cir,(Ala.), Jun 04, 1992) (NO. 88-7551, 88-7552, 88-7553)

7. Russo v. City of Cincinnati, 953 F.2d 1036 (6th Cir.(Ohio), Jan 15, 1992) (NO. 90-3432, 90-3936)

8. Pandazides v. Virginia Bd. of Educ., 946 F.2d 345, 57 Fair Empl.Prac.Cas. (BNA) 232, 57 Empl. Prac. Dec. P 41,027, 70 Ed. Law Rep. 371, 2 A.D. Cases 33, 2 NDLR P 120 (4th Cir.(Va.), Oct 10, 1991) (NO. 91-2313)

9. Kopf v. Wing, 942 F.2d 265 (4th Cir.(Md.), Aug 09, 1991) (NO. 90-2462)

10, Zold v. Township of Mantua, 935 F.2d 633 (3rd Cir.(N.J.), Jun 17, 1991) (NO. 90-5513)

11. Laidley v. McClain, 914 F.2d 1386 (10th Cir.(Okl.), Sep 13, 1990) (NO. 89-5016)

12, Cooper v. City of Greenwood, Miss., 904 F.2d 302 (5th Cir.Miss.), Jun 29, 1990) (NO. 89-4396, 894642)

13. Good v. Dauphin County Social Services for Children and Youth, 891 F.2d 1087 (3rd Cir.(Pa.), Dec 15, 1989) (NO. 88-5792)

14. Cornelius v. Town of Highland Lake, Ala., 880 F.2d 348 (I lth Cir.(Ala.), Aug 10, 1989) (NO. 88-7238)

15. Blankenship v. Kerr County, Tex., 878 F.2d 893 (5th Cir.(Tex.), Aug 04, 1989) (NO. 88-5568)

16. Ewers v. Board of County Com'rs of County of Curry, 874 F.2d 736, 4 IER Cases 809 (10th Cir.(N.M,), May 10, 1989) (NO. 84-2477)

17. Georgia Ass'n of Educators v. Gwinnett County School Dist., 856 F.2d 142,129 L.R.R.M. (BNA) 2592,49 Ed. Law Rep. 20 (Ilth Cir.(Ga.), Sep 29, 1988) (NO. 87-8089)

18. Hancock v. City of Oklahoma City, 857 F.2d 1394, 59 Fair Empl.Prac.Cas. (BNA) 1848, 47 Empl. Prac. Dec. P 38,332, 12 Fed.R.Serv.3d 1029 (10th Cir.(Okl.), Sep 23, 1988) (NO. 87-1232)

19. Matthiessen v. Board of Educ. of North Chicago Community High School Dist. 123, Lake County, Ill., 857 F.2d 404, 49 Ed. Law Rep. 470 (7th Cir.(Ill.), Sep 14, 1988) (NO. 87-3150)

20. Samples on Behalf of Samples v. City of Atlanta, 846 F.2d 1328, 25 Fed. R. Evid. Serv. 1231 (I Ith Cir.(Ga.), Jun 13, 1988) (NO. 87-8576)

21. Dellacava v. Painters Pension Fund of Westchester and Putnam Counties, 851 F.2d 22, 109 Lab.Cas. P 10,555 (2nd Cir.(N.Y.), Jun 10, 1988) (NO. 826,87-7978)

22. Sellers v. M.C, Floor Craftcrs, Inc., 842 F.2d 639, 127 L.R.R.M. (BNA) 3158, 108 Lab.Cas. P 10,395, 10 Fed.R.Serv.3d 1056 (2nd Cir.(N.Y,), Mar 23, 1988) (NO. 480, 87-715 1)

23. Gjellum v. City of Birmingham, Ala., 829 F.2d 1056, 56 USLW 2254 (I Ith Cir.(Ala.), Oct 13, 1987) (NO. 86-7643)

24. Martin v. United Way of Erie County, 829 F.2d 445, 56 USLW 2181, 44 Fair Empi.Prac.Cas. (BNA) 1593, 44 Empi. Prac. Dec. P 37,472 (3rd Cir.(Pa.), Sep 23, 1987) (NO. 86-3756)

25. Beckwith v. Clark County, 827 F.2d 595 (9th Cir.(Nev.), Sep 09, 1987) (NO. 86-1553)

26. Matthews v. Ramey County, Or., School Dist. No. 4, 819 F.2d 889, 39 Ed. Law Rep, 1049 (9th Cir.(Or.), Jun 11, 1987) (NO. 85-4342)

27. Brandt v. Board of Co-op. Educational Services, Third Supervisory Dist., Suffolk County, N.Y., 820 F.2d 41, 40 Ed. Law Rep. 56, 3 IER Cases 439 (2nd Cir.(N.Y.), May 29, 1987) (NO. 981, 86-9053)

28. Fetner v. City of Roanoke, 813 F.2d 1183 (IIth Cir.(Ala.), Apr 06, 1987) (NO. 86-7285)

29. Jackson v. Pantazes, 810 F.2d 426 (4th Cir.(Md.), Jan 30, 1987) (NO. 86-3539)

30. Partridge v. Two Unknown Police Officers of City of Houston, Tex., 791 F.2d 1182 (5th Cir.(Tex.), Jun 13, 1986) (NO. 83-2615)

31. Regner v. City of Chicago, 789 F.2d 534, 40 Fair Empl.Prac.Cas. (BNA) 1027, 40

Empl. Prac. Dec. P 36,250 (7th Cir.(Ill.), Apr 23, 1986) (NO. 85-1482)

32. Mullins v. City of Huntsville, Ala., 785 F.2d 1529 (I Ith Cir.(Ala.), Apr 07, 1986) (NO. 85-731 1)

33. Thomas v. Harris County, 784 F.2d 648 (5th Cir.(Tex.), Mar 10, 1986) (NO. 84-2567)

34. Lowe v. City of Monrovia, 775 F.2d 998, 39 Fair Empl.Prac.Cas. (BNA) 350, 41 Fair Empi.Prac.Cas. (BNA) 931, 38 Empl. Prac. Dec. P 35,647 (9th Cir.(Cal.), Oct 30, 1985) (NO. 84-5960)

35. Mozeri v, Hawkins County Public Schools, 765 F.2d 75, 25 Ed. Law Rep. 1063 (6th Cir.(Tenn.), Jun 18, 1985) (NO. 84-5317)

36. Tosti v. City of Los Angeles, 754 F.2d 1485, 37 Fair Empt.Prac.Cas. (BNA) 348, 36 Empl. Prac. Dec. P 35,146, 1 Fed.R.Serv.3d 789 (9th Cir.(Cal.), Mar 04, 1985) (NO. 84-5643)

37, Conway v. Village of Mount Kisco, N.Y., 750 F.2d 205, 40 Fed.R.Serv.2d 1174 (2nd Cir.(N.Y.), Dec 11, 1984) (NO. 91, 83-7318)

38. Fields v. Gander, 734 F.2d 1313 (8th Cir,(Mo.), May 23, 1984) (NO. 83-2360)

39. Perri v. Aytch, 724 F.2d 362, 115 L.R.R.M. (BNA) 2257, 1 IER Cases 337 (3rd Cir.(Pa.), Dec 22, 1983) (NO. 83-1072)

40. Burtnicks v. City of New York, 716 F.2d 982 (2nd Cir.(N.Y.), Aug 26, 1983) (NO. 82-7733, 757)

41. McKee v. Heggy, 703 F.2d 479 (10th Cir.(Okl.), Mar 29, 1983) (NO. 82-1725)

42. Sherman Oaks Medical Arts Center, Ltd. v. Carpenters Local Union No. 1936, United Broth. of Carpenters and Joiners of America, 680 F.2d 594, 110 L.R.R.M. (BNA) 2971, 94 Lab.Cas. P 13,685 (9th Cir.(Cal.), Jun 29, 1982) (NO. 81-5307)

43. Bronze Shields, Inc. v. New Jersey Dept. of Civil Service, 667 F.2d 1074, 27 Fair Empl.Prac.Cas. (BNA) 749, 27 Empl. Prac. Dec. P 32,287 (3rd Cir.(N.J.), Dec 01, 1981) (NO. 80-2003, 81-1133)

44. Bricklayers' Health and Welfare Trust Fund of Inland Empire, San Bernardino and Riverside Counties v. Brick Masons' Health and Welfare Trust Fund, 656 F.2d 1387, 2 Employee Benefits Cas. 1921 (9th Cir.(Cal.), Sep 25, 1981) (NO, 78-3626)

45. Crumley v. Snead, 620 F.2d 481 (5th Cir.(Ala.), Jun 30, 1980) (NO. 78-3624)

46. Collins v. Hladky, 603 F.2d 824 (10th Cir.(Wyo.), Aug 17, 1979) (NO. 79-1 100)

47. Santos v. District Council of New York City and Vicinity of United Broth. of Carpenters and Joiners of America, AFL-CIO, 547 F.2d 197,

94 L.R.R-M. (BNA) 2244, 80 Lab.Cas. P 11,836 (2nd Cir.(N.Y.), Jan 03, 1977) (NO. 64, 76-7168)

48. Lavin v. Illinois High School Ass'n, 527 F.2d 58 (7th Cir.(Tll.), Aug 29, 1975) (NO. 74-1829)

49. Jackson v. Official Representatives and Emp. of Los Angeles Police Dept. In and For Los Angeles County, 487 F. 2d 885 (9th Cir.(Cal.), Nov 16, 1973) (NO. 72-1229)

50. Dwen v. Barry, 483 F.2d 1126,9 Empl. Prac. Dec. P 10,167 (2nd Cir. (N.Y.), Aug 22, 1973) (NO. 862, 72-1037)

51. George v. Conneaut Bd. of Ed., Conneaut City School Dist., 472 F.2d 132 (6th Cir.(Ohio), Dec 19, 1972) (NO. 71-1884)

52. Black Students of North Fort Myers Jr.-Sr. High School v. Williams, 443 F.2d 1350 (5th Cir.(Fla.), Jun 21, 1971) (NO. 31129)

53. Khan v. Garanzini, 411 F.2d 210 (6th Cir.(Mich.), May 28, 1969) (NO. 18750)

END OF CITATIONS LIST

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DATE OF REQUEST: 04/24/95
THE CURRENT DATABASE IS FCIV-CTA
YOUR TERMS AND CONNECTORS QUERY:

SY("SUMMARY JUDGMENT" /5 AFFIRM! % PRECLUDE!) & TI(COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result Documents: 21 Database: FCIV-CTA

1. Gentile v. Missouri Dept. of Corrections and Human Resources, 986 F.2d 214 (8th Cir.(Mo.), Feb 09, 1993) (NO. 92-1777WM

2. Stewart v. Donges, 979 F.2d 179 (10th Cir.(N.M.), Nov 06, 1992) (NO, 91-2073)

3. Martin v. Harrison County Jail, 975 F.2d 192, 24 Fed.R.Serv.3d 347 (5th Cir.(Miss.), Oct 19,1992) (NO. 91-1831)

4. Gainor v. Rogers, 973 F.2d 1379 (8th Cir.(Minn.), Aug 20, 1992) (NO. 91-1708)

5. S. Emmons v. McLaughlin. 874 F.2d 351 (6th Cir.(Ohio), May 11, 1989) (NO. 88-3437)

6. Watson v. City of Kansas City, Kan., 857 F. 2d 690, 57 USLW 2193 (10th Cir.(Kan.), Sep 14,1988) (NO. 86-2501)

7. Brawner v. City of Richardson, Tex., 855 F.2d 187, 3 IER Cases 1376 (5th Cir.(Tex.), Aug 18, 1988) (NO. 87-1653)

8. Boswell v. Sherburne County, 849 F.2d 1117 (8th Cir. (Minn.), Jun 21, 1988) (NO. 87-5187)

9. Wright v. Holbrook, 794 F,2d 1152, 1 IER Cases 1157 (6th Cir.(Ky.), Jul 11, 1986) (NO. 84-6104)

10. Partridge v. Two Unknown Police Officers of City of Houston, Tex.,
791 F.2d 1182 (5th Cir.(Tex.), Jun 13,1986) (NO. 83-2615)

11. Thomas v. Harris County, 784 F.2d 648 (5th Cir.(Tex.), Mar 10, 1986) (NO. 94-2567)

12. Lowe v. City of Monrovia, 775 F.2d 998, 39 Fair Empl.Prac.Cas. (BNA) 350, 41 Fair Empl.Prac.Cas, (BNA) 931, 39 Empl. Prac. Dec. P 35,647 (9th Cir.(Cal.), Oct 30, 1985) (NO. 84-5960)

13. McSurely v. McClellan, 753 F.2d 88, 243 U.S.App.D.C. 270, 11 Fed.R.Serv.3d 102 (D.C.Cir., Jan 18,1985) (NO. 83-1444)

14. Zanghi v. Incorporated Village of Old Brookville, 752 F.2d 42 (2nd Cir.(N.Y.), Jan 04, 1985) (NO. 84-7488, 356)

15. Zook v, Brown, 748 F.2d 1161 (7th Cir.(Ill.), Nov 14, 1984) (NO. 83-2908)

16. McKenzie v. Lamb, 738 F.2d 1005 (9th Cir.(Nev.), Jul 24,1984) (NO. 82-5499)

17. McSurely v. McCellan 697 F.2d 309,67 A.L.R.Fed. 614, 225 U.S.App.D.C. 67 (D.C.Cir., Doc 10, 1982) (NO. 82-2369)

18. McMillian v. City of Rockmart, 653 F.2d 907 (5th Cir.(Ga.), Aug 06, 198 1) (NO. 81-7054)

19. U. S. v. School Dist. of Ferndale, Mich., 577 F.2d 1339, 47 A.L.R.Fed. 294, 3 Fed. R. Evid. Serv. 225 (6th Cir.(Mich.), May 17, 1978) (NO. 76-1110, 77-1426)

20. Pierson v. Grant, 527 F.2d 161 (8th Cir.(Iowa), Dec 22, 1975) (NO. 75-1171)

21. Khan v. Garanzini, 411 F.2d 210 (6th Cir.(Mich.), May 28, 1969) (NO. 18750)

END OF CITATIONS LIST

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DATE OF REQUEST: 04/24/95
THE CURRENT DATABASE IS FCIV@A
YOUR TERMS AND CONNECTORS QUERY:

SY("SUMMARY JUDGMENT" /5 REVERSE! % PRECLUD!) COUNTY CITY MUNICIPALITY TOWNSHIP VILLAGE BOROUGH)

CITATIONS LIST Search Result Documents: 9

Database: FCIV-CTA

1. Regalado By and Through Regalado v. City of Commerce City, Colo., 20 F.3d 1104 (10th Cir.(Colo.), Apr 06, 1994) (NO. 92-1260)

2. Tittle v. Jefferson County Com'n, 10 F.3d 1535, 62 USLW 2484 (11th Cir.(Ala.), Jan 06, 1994) (NO. 91-7054)

3. Kopf v. Wing, 942 F.2d 265 (4th Cir.(Md.), Aug 09, 1991) (NO. 90-2462)

4. Cooper v. City of Greenwood, Miss., 904 F.2d 302 (5th Cir.(Miss.), Jun 29, 1990) (NO. 89-4396, 894642)

5. Hancock v. City of Oklahoma City, 857 F.2d 1394. 59 Fair Empl.Prac.Cas. (BNA) 1848, 47 Empl. Prac. Dec. P 38,332,12 Fed.R.Serv.3d 1029 (10th Cir.(Okl.), Sep 23, 1988) (NO. 87-1232)

6. Crumley v. Snead. 620 F.2d 481 (5th Cir.(Ala.), Jun 30, 1980) (NO. 78-3624)

7. Collins v. Hladky, 603 F.2d 824 (10th Cir.(Wyo.), Aug 17, 1979) (NO. 79-1 100)

8. Black Students of North Fort Myers Jr.-Sr. High School v. Williams, 443 F.2d 1350 (5th Cir.(Fla.), Jun 21, 1971) (NO. 31129)

9. Khan v. Garanzini, 411 F.2d 210 (6th Cir.(Mich.), May 28, 1969) (NO. 18750)

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